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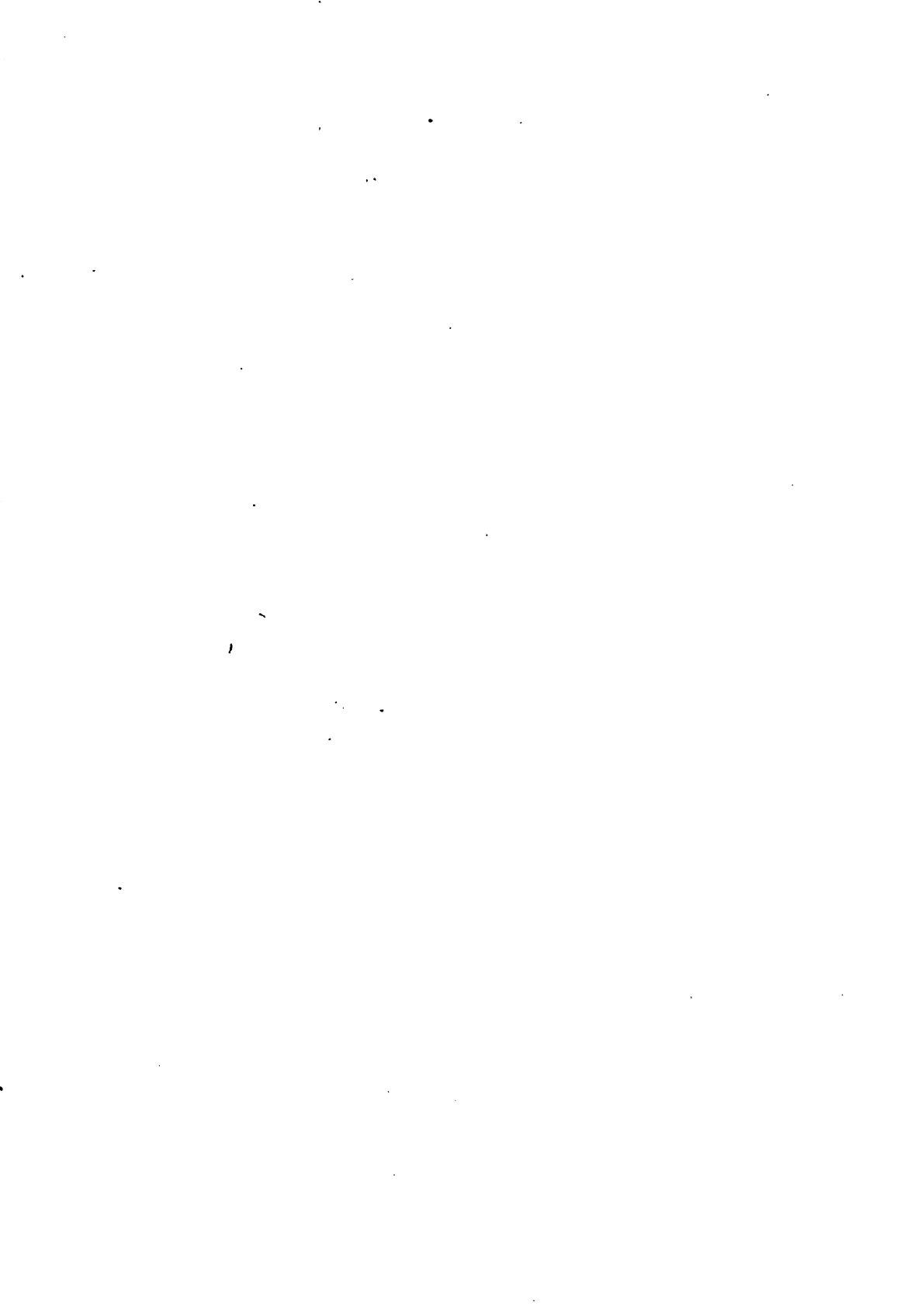
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TWENTY-FOURTH ANNUAL REPORT

OF THE

DAIRY AND FOOD COMMISSIONER

FOR THE

STATE OF MICHIGAN

FOR THE

YEAR ENDING JUNE 30, 1917.



BY AUTHORITY

LANSING, MICHIGAN
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LETTER OF TRANSMITTAL.

**DAIRY AND FOOD DEPARTMENT,
Lansing, Michigan.**

Hon. Albert E. Sleeper, Governor:

SIR: In accordance with the provisions of the Act creating the Dairy and Food Department, I herewith transmit to you the report of this Department in detail for the year ending June 30th, 1917.

**Very respectfully,
FRED L. WOODWORTH,
State Dairy and Food Commissioner.**

COOPERATION.

THE POLICY OF THE ADMINISTRATION WITH REFERENCE TO FOOD AND OTHER PRODUCTS OVER WHICH IT HAS SUPERVISION.

A vast majority of the people are interested in pure food products. The consuming public is interested and so is every honest manufacturer, jobber and retailer. It will, under the present administration, be the Department's policy to cooperate with all of these as against the illegal practices of the dishonest manufacturer, jobber and retailer. By co-operating with the honest manufacturer and dealer the Department will secure an efficient aid in bringing our food supply to the highest degree of purity. In turn, the honest manufacturer, jobber and retailer, by co-operating fully with the Department, will administer a stinging blow to his dishonest competitor. There is absolutely no reason why the Dairy and Food Department, the honest manufacturer, the honest jobber and the honest retailer should not work shoulder to shoulder in suppressing and eliminating any and all of the underhanded and illegal attempts to foist on the consuming public articles of food, drink, drugs, etc., which do not comply with the requirements of law. This Department has been in existence long enough to demonstrate that the honest and law-abiding manufacturer and dealer includes a very large percentage of all those engaged in the trade. To this class let it be said in language as forceful as it is possible to use, that the Department will be with you to a finish in supplying the people of the State with an honest, pure and wholesome food supply, and at the same time drive out dishonest, unfair and illegal competition.

To the Department's work in the inspection of food products for adulteration and misbranding is added enforcement of regulations with reference to sanitation. The time has long since passed when establishments where food is manufactured or stored for sale can be conducted in a slovenly, unclean and insanitary manner. No person who dispenses food to the public can offer any legitimate excuse for not keeping his premises, his wares, etc., in a clean and sanitary condition. Let it be understood fully at the outset of this administration that stores, meat markets, restaurants, bake shops and other places where food products are handled or sold must be kept to the highest degree of cleanliness. The responsibility of manufacture, labeling, etc., may be shouldered on the man farther off but responsibility for cleanliness cannot and must not be shifted to others than those in immediate charge of the premises. Whenever and wherever practical and efficient results can be secured without harmful publicity, such course will be pursued, but in any event a reasonable and honest compliance with all laws, the enforcement of which is charged to the Department, will be insisted on.

In carrying out our policy of cooperation the Department will make

every effort to assist and advise those who seek our advice and assistance; all correspondence will be answered promptly and literature such as we have for distribution will be forwarded on request. Our inspectors will be found courteous and obliging yet firm in the performance of their field duties.

In line with the department's policy of co-operation and with a view to making it practical rather than theoretical, the department assisted in bringing about a meeting of Food and Dairy, Drug and other officials in the city of Detroit on March 20th, 1917. At this meeting were representatives from the Bureau of Chemistry at Washington, representatives from the Department of Health in the city of Detroit, representatives of our own department and some from neighboring states. A day and evening were spent in devising plans by which all those whose duty it is to look after the food supply should co-operate and work in harmony rather than at cross purposes. Such a plan was adopted at that meeting and it is now working successfully. To add to the further efficiency of the department, the present commissioner has been commissioned by the Secretary of Agriculture as a United States Food and Drug Inspector duly invested with all of the authority under the Federal Food and Drugs Act which goes with such commission. With the power which comes with such appointment it is obvious that the department will be in a position to oftentimes strike at the very root of the evil making the work of inspection more effective and causing less annoyance and trouble to innocent jobbers or dealers.

To illustrate—and the illustration furnishes complete evidence of the advantages that are to be gained in co-operation between Michigan dealers and the department: Within a short time after having been commissioned under the Federal Food and Drugs Act, a Michigan wholesale establishment received from Baltimore a carload of canned beans, the wholesaler reasonably expecting to receive beans such as Michigan housewives and consumers are familiar with and which they have a right to expect when they place an order for beans. The carload lot was labeled in such a manner as to indicate and convey to the purchaser or consumer the idea that these were no different from the ordinary Michigan bean of Commerce. The label showed that they were prepared with tomato sauce and it took a magnifying glass to determine accurately whether the cans in question contained one pound and three ounces or one pound and eight ounces. As a matter of fact, owing to the exceedingly small amount of tomato sauce present, it also became necessary to resort to the glass to determine the presence of tomato sauce. Before accepting the car the wholesalers in question brought a sample of the beans to the laboratory and on analysis it was found that they were not the ordinary bean of commerce at all but were what is known as "soja bean" a native of Japan and China, until recently used largely for stock feeding purposes, but have of recent years come into use in the United States as a human food product. They are high in protein content, high in oil and low in starch. The department raised no objection to the use of these beans as a food product but it did contend and insist that the label should show exactly what they were, that there should be no deception in pointing out the quality of the bean, the manner in which it was manufactured and the statement of the contents in the package. Proceedings were at once instituted in the Federal

Court in the city of Detroit and seizure of the carload was duly made by the United States marshal. The result was that without any of the beans having been unloaded or distributed the southern manufacturers filed with the Clerk of the Federal Court a bond in the sum of \$4,200 guaranteeing the return of the beans to the point from whence they came, there to be relabeled in a manner so as to show exactly the character of same and to do away with all objectionable features on the label before being again offered for sale. By thus co-operating with the department the wholesaler in question prevented subsequent annoyance, not only to himself but to each and every retailer who would possibly purchase from him a quantity of these beans. In due time also when this particular carload of beans again finds its way to market the consumer will know what he is eating.

Those in attendance at the Detroit meeting were as follows:

J. S. Abbott, in charge Office of State Food and Drug Control, Washington, D. C.

L. M. Tolman, Chief, Central Food and Drug Inspec. Dist., Chicago, Ill.

Fred L. Woodworth, State Dairy and Food Commissioner, Lansing, Mich.

Burton F. Browne, Deputy State Dairy and Food Com'r., Ann Arbor, Mich.

M. J. Smith, Chief Clerk, Mich. Dairy and Food Department, Lansing, Mich.

M. A. Jones, Drug Inspector, State Department, Ypsilanti, Mich.

A. R. Todd, State Analyst, Lansing, Mich.

Eugene P. Berry, Inspector State Dairy and Food Department, Detroit, Mich.

Russell E. Woodruff, Inspector, State Department, Howell, Mich.

Geo. F. Austin, Sealer of Weights and Measures, Detroit, Mich.

O. M. Edson, State Sealer of Weights and Measures, Adrian, Mich.

C. E. Swift, State Dairy and Food Inspector, Detroit, Mich.

C. H. Chilson, Chief Milk Inspector, Detroit, Mich.

Henry B. Evans, Federal Food and Drug Inspector, Detroit, Mich.

Henry F. Raughan, Asst. Health Officer, Detroit, Mich.

R. W. Pryer, Director of Lab., Detroit Bd., of Health, Detroit, Mich.

Jos. J. Jeup, Asst. Sealer of Weights, Detroit, Mich.

Ewd. Hanavan, Asst. Sealer of Weights, Detroit, Mich.

Dr. R. H. Bishop, Jr., Health Commissioner, Cleveland, Ohio.

Dr. R. G. Perkins, Chief of Bureau of Laboratories, Cleveland, Ohio.

Wilbur S. White, City Chemist, Cleveland, Ohio.

Dr. L. M. Cole, Chief Dairy and Food Insp., Toledo, Ohio.

Geo. D. Petrie, Milk Inspector, Detroit, Mich.

E. W. McGrath, Milk Inspector, Detroit, Mich.

Thos. G. White, Milk Inspector, Detroit, Mich.

R. W. Waffle, Milk Inspector, Detroit, Mich.

M. A. Hiesenhoefer, Food Inspector, Detroit, Mich.

Wm. A. Rankin, Councilman, Highland Pk., Mich.

Thos. G. Smart, Milk Inspector, Highland Pk., Mich.

Chas. H. Dear, Health Board, Detroit, Mich.

Martin V. States, City Milk Inspector, Detroit, Mich.

Dr. F. R. Bates, Health Board, Milk Inspector, Detroit, Mich.

Fred J. Moore, City Milk Inspector, Detroit, Mich.

Fred O. Adams, City Milk Analyst, Detroit, Mich.

John F. Roehl, Milk Inspector, Detroit, Mich.

Henry F. Collins, Food Inspector, Detroit, Mich.

Lansing, Michigan, February 15th, 1917.

To Wholesalers, Jobbers and Retailers dealing in vinegar.

Gentleman:—The department directs attention to the provisions of Act No. 384, Session Laws of 1913, commonly known as the State's Vinegar Law, and which in part reads as follows:

“No vinegar shall be sold or exposed for sale as apple or cider vinegar which is not the legitimate product of pure apple juice * * *”

This is taken to mean, and by the department held to mean, that the use of peels and cores, as now frequently used in the manufacture of vinegar sold as apple or cider vinegar, is prohibited, and it is further held to mean that the addition of distilled vinegar, or any substance having for its object the production of a product which is not the legitimate product of pure apple juice, is prohibited.

With reference to vinegar now in the hands of Michigan wholesalers, and which has not been manufactured in compliance with the provisions of the law above quoted, I will say that such vinegar may be returned to the manufacturers by the wholesalers or jobbers under any terms satisfactory to the jobber or wholesaler in question. It is immaterial to the department whether this return is made on a refund of the purchase price or by the manufacturer supplying to the jobber a quantity of pure apple cider vinegar in lieu of that returned.

Under conditions as they now exist in the vinegar situation in this State, I cannot too strongly urge upon wholesalers and jobbers the advisability of fortifying themselves with a guaranty of purity from manufacturers when purchasing vinegar. While such guaranty does not relieve the wholesaler, jobber or retailer from responsibility, the possession of it is an evidence of good faith on their part and tends to show a disposition to co-operate with the department and handle a product made in compliance with legal requirements. When wholesalers and dealers are found to be co-operating with us towards securing for Michigan a legal vinegar supply, the department will reciprocate, and on request, and whenever possible, will make an analysis of vinegar taken from each shipment received from the manufacturer, thus determining the purity of the product before it is offered for sale.

Yours very truly,
FRED. L. WOODWORTH,
State Dairy and Food Commissioner.

SOME FACTS ABOUT FOOD CONSERVATION.

COMPILED BY A. R. TODD AND MABEL MOSHER.

The Dairy and Food Department of the State of Michigan, realizing its great responsibility at this time, has prepared this bulletin and an exhibit on food conservation which will be shown at the State and County fairs this year.

FOOD WASTE.

A campaign is now on in the entire United States to check the terrible waste of food, which has become so prevalent that it is a very serious menace to the country in the present crisis, when the whole world is feeling to some extent the effects of poverty and hunger. Bad habits are hard to break, but the American people must be brought to a more economical way of living if they are to do their part effectively at this time.

There are many ways in which food may be wasted:

- When it is spoiled in cooking.
- When it is poorly prepared.
- When more is cooked than can be consumed.
- When more is purchased than can safely be stored.
- When poor judgment is exercised in its selection.
- When it is carelessly trimmed or pared.
- When the menu lacks the proper balance in nutrition.
- When too much is served.

Overeating is more reprehensible than wasting food in the garbage pail. When we eat more than our bodies require, we not only waste food but impair our health.

The United States Government says to eat any food that is clean and wholesome, to be willing to try new foods. People too easily get into food ruts. It is possible to like very simple foods, giving them all a fair trial and eliminating from the vocabulary the phrases "Don't like" and "Can't eat."

Do you know that the American people are the most wasteful on earth? That the American garbage can contains over three per cent fat? That the German garbage can, even during peace times, contains less than one per cent fat? That your full garbage pail means some one else's empty dinner pail? That in times when there is a shortage, everything wasted is taken from some one else who needs it? In short, it is just as big a crime morally to waste food as it would be to go into the homes of the needy and steal it from them.

Waste of apparently trifling consequence as far as the individual home is concerned amounts to an astounding figure when it prevails throughout the country. Upon the basis that there are 20,000,000 homes

in the United States the following table shows what the result of some of these small losses would be.

Amount wasted per day by one family.	Amount wasted in the entire United States per day.	Amount wasted in the United States in one year.
1 slice	1,000,000 lb. loaves	365,000,000 loaves.
1 potato (one-fourth ounce)	312,500 pounds	114,000,000 pounds.
One-half cup	2,500,000 quarts	912,500,000 quarts.
1 ounce edible meat or fat	1,250,000 pounds animal food.	465,000,000 pounds animal food.

The following rule can well be observed in this campaign for food conservation: *Keep perishables cool, clean and covered.* The moment meat, fish, milk and eggs are allowed to get warm, they begin to spoil. Bacteria and germs multiply rapidly in slightly warm food, and quickly make it unfit to eat.

CLASSES OF FOODS.

Until recently we were taught in our schools and universities that there were but five groups of food products as follows:

FATS, such as butter, salad oil, lard, suet, salt pork, bacon, etc.

CARBOHYDRATES (starches and sugars) such as sugar, molasses, syrups, honey, jams, preserves, dried fruits, cakes, desserts, cereal breakfast foods, flour, meals, potatoes, rice and corn.

PROTEINS, such as milk, eggs, meat and dried legumes.

MINERAL MATTER, such as lime, phosphorus, salt and iron.

WATER.

Of these classes of foods the Proteins build and repair the tissues; fats and carbohydrates produce heat and energy for the body; mineral matter is found in the bones and teeth, also in the tissues and body fluids; water, though it does not build tissue and produce energy, forms about sixty per cent of the body weight and is vitally necessary to our well being.

Much research has been carried on by various experimentors upon the science of foods and nutrition but it is beyond the scope of this bulletin to give even a summary of this work. A bulletin, "Food and Food Values" will be sent by the Michigan Dairy and Food Department to anyone, upon request. The Department of Agriculture also has published a very valuable bulletin upon "Principles of Nutrition and Nutritive Value of Food."

Modern research has proved that there is a sixth group of foods. Professor E. V. McCollum, former professor of Agricultural Chemistry at the University of Wisconsin has found new substances which are vitally necessary to our well being, and without which animals and human beings fail in growth and development. These unknown substances have been referred to in literature as "vitamines" and other names, but Professor McCollum, not knowing just exactly what they are, has termed them "fat-soluble A" and "water soluble B." Their exact composition has not been determined although their importance has been established beyond doubt. The Department of Home Economics of the University of

Wisconsin is authority for the following statement and table concerning these unknown elements.

"The latter, (water soluble B) is supplied in sufficient amounts in any but unusual or very refined diets (such as the exclusive rice diets of Eastern peoples) and need not be considered, probably, as a diet factor in our own country. Fat-soluble A, on the other hand, is not so universally distributed in foods, and may be somewhat lacking in restricted diets. It, like water-soluble B, is absolutely necessary in any diet which maintains growth and health. It is soluble in fats, and also, to a less extent, in water. It is associated in large quantities with some isolated fats; to a less extent, with others; and apparently not at all with still others. It may also be present in fairly large amounts in certain tissues or foods (such as leaves of plants or skim milk) where there is no significant amount of fat present.

The following groups are arranged approximately in the order of relative amounts of "fat soluble A" which the individual foods contain (as far as experimental work has been able to determine.)

Group A.

Egg yolk
Butter

Fat soluble A is *concentrated* by the cow in her milk and milk fat from the food (especially leaves) that she eats. It is not *manufactured* by the cow, but must come from the food. This unknown substance in mothers' milk must also come from her own food.

Group B.

Oleomargarine

The body fat of grazing animals also contains a certain amount. In manufacturing oleomargarine, this is concentrated in the softer fats which are used, and then again diluted somewhat with vegetable oils, which contain practically no fat-sol. A. Some brands of oleomargarine are then churned with milk or mixed with butter.

Cream
Rich milk
Cream cheese

These contain butter fat.

Leaves of plants
 clover
 alfalfa
 cabbage

Leaves of plants form the most significant source of Fat-sol. A. for herbivorous animals. These three plants are the only ones which have been tested, but other leaves are also rich, probably.

Embryo of Cereal,
grains and seeds.

These are not used alone as food, but when left in the whole unmilled grains make it a much better food. The smaller the seed the greater the proportion of embryo, apparently.

Group C.

Skim Milk

Not only is fat soluble A. present in butter fat, but a considerable amount is left in solution in skim milk.

Goose Oil
Suet
Beef drippings
Beef fat
Chicken fat

Animals which consume a large quantity of leaves and grass, apparently store more "fat soluble A" in their tissues than those which consume a less amount or none.

Group D.

Salt pork
Lard
Bacon

Group E.

Olive Oil
Cottonseed Oil
Peanut Oil
Sesame Oil
Corn Oil

Although fat soluble A is *known* to be present in many of the plant products from which these oils are taken, it apparently is not extracted with the oils in the processes used for their manufacture. It is not thought that this is due to any difference in the fat "soluble A" itself, but the nature of its union with the plant tissue.

Group A. supplies a very abundant amount of fat soluble A. If not too small amounts of Group B are included in the diet, they can, of themselves, furnish a sufficient supply of this unknown substance. Group C does not contain a sufficient amount to justify its use as the sole source of this substance, as far as our knowledge now can determine. Group D. and E. apparently contain insignificant amounts.

The demand of children for the unknown growth promoting substance is greater than that of the adult, although neither can maintain health entirely without it. On the other hand, the capacity of children to use fat as fuel is very much more limited than in the case of adults, therefore, in the child's diet foods from the last three groups of this column should be used sparingly, although they may furnish a satisfactory and fairly economical source of fuel foods for adults, especially for those whose occupation creates a large demand for energy foods."

PROTECTION OF DAIRY INDUSTRY.

Prof. McCollum says: "In human dietaries, the safe plan is this: Protect the dairy industry, no matter what offsets may come to us and how expensive it may become to produce dairy products. The dairy industry is the greatest safeguard to nutritive food. If we do away with the dairy industry we would soon become an inefficient people.

The most expensive foods and therefore the articles on which the first cut is liable to be made, are eggs and dairy products. These are apparently the most expensive; that is, they are pretty apt to appear the most expensive to the average housewife.

Just consider the world as a general proposition, and the character of the diet of those peoples who are thrifty and progressive. The greatest single event in the history of human progress is that time and event which led to the discovery of milk-producing animals. Those people who are strictly vegetarians are ambitionless. They are short lived. Under no circumstance should the use of milk and all the constituents of milk be diminished."

MILK AS A FOOD.

Economy in the diet does not always depend upon limiting the use of certain foods, but sometimes it is a question of actually increasing the use of foods which furnish nutritive material at relatively low cost. Milk belongs to the latter class, and the housewife would do well to study its food value and decide whether her family is using as much as it should. The average person in this country uses only a little more than a half-pint of milk daily, and this quantity can very profitably be increased when safe milk is available.

Many people think of milk only as a beverage, but if they understood that in reality it is a nourishing food they would increase their daily use of it.

We eat foods for two main reasons: First, to renew body wastes and promote growth by forming new tissues and fluids; and second, to supply energy for carrying on body functions. Milk contains the body building materials (protein and mineral substances, such as lime and phosphorus) and also supplies energy for carrying on the body functions.

The following table compiled by specialists of the U. S. Department of Agriculture, shows the quantities of various foods needed to supply as much protein or energy as one quart of milk.

Protein.	Energy.
1.0 quart of milk. 7.0 ounces of sirloin steak. 6.0 ounces of round steak. 4.3 eggs. 8.6 ounces of fowl.	1.0 quart of milk. 11.0 ounces of sirloin steak. 12.0 ounces of round steak. 8½ eggs. 10.7 ounces of fowl.

Another method of comparison is shown by the table below, in which the relative value of certain foods, as economical sources of protein is given:

TO SUPPLY PROTEIN AT EQUAL COST.

When milk is—	Sirloin steak must not be more than—	And eggs not more than—
7 cents a quart.....	16.3 cents a pound.....	17.6 cents a dozen.
8 cents a quart.....	18.6 cents a pound.....	20.1 cents a dozen.
9 cents a quart.....	21.0 cents a pound.....	22.6 cents a dozen.
10 cents a quart.....	23.3 cents a pound.....	25.1 cents a dozen.
12 cents a quart.....	27.9 cents a pound.....	30.2 cents a dozen.
15 cents a quart.....	34.9 cents a pound.....	37.7 cents a dozen.

According to this table if milk is selling at 10 cents a quart, sirloin steak must sell as low as 23.3 cents a pound, and eggs at 25.1 cents a dozen, to supply protein at equal cost.

TO SUPPLY ENERGY AT EQUAL COST.

Milk at—	Is as cheap as sirloin steak at—	Or eggs at—
7 cents a quart.....	9.9 cents a pound.....	9.3 cents a dozen.
8 cents a quart.....	11.3 cents a pound.....	10.6 cents a dozen.
9 cents a quart.....	12.8 cents a pound.....	11.9 cents a dozen.
10 cents a quart.....	14.2 cents a pound.....	13.2 cents a dozen.
12 cents a quart.....	17.0 cents a pound.....	15.9 cents a dozen.
15 cents a quart.....	21.3 cents a pound.....	19.8 cents a dozen.

It can be seen therefore that milk even at 15 cents a quart is a cheap source of energy as compared with sirloin steak and eggs.

In comparing foods it is necessary to consider both the protein and the energy furnished. Neither one can properly be used as a basis of comparison nor is there any correct way to reckon the value of a food considering the total amount of nutritive elements.

It is difficult to compare foods on the basis of the mineral matter they contain, but all physiologists agree that milk is extremely valuable from this standpoint. Indeed it is the food prepared by nature especially for growth and development of the young. A quart of milk a day is a good allowance for a young, growing child.

In addition to being an economical food, milk is usually easily digested, and requires no cooking or other preparation for the table. Specialists of the department have found also that it is digested better when taken with other foods.

Milk is a food that will always retain the first and most important place in our dietary and the housewife would do well to study its food value and decide whether her family is using as much as it should. The average person in this country uses only a little more than half a pint of milk daily, and this quantity can be profitably increased when safe milk is available.

The following statement is taken from the Illinois food bulletin and explains the value of skim milk.

"Skimming removes practically only one constituent of the milk—the fat. Skim-milk retains the proteins, sugar, minerals and some growth accessories. It may be economically employed in many ways such as serving with corn meal mush and cereals, and in the preparation of milk soups which are especially nourishing.

COMPOSITION AND COST OF A PORTION OF CORN MEAL MUSH AND SKIM-MILK.

Food Materials.	Amount.	Protein.	Fuel value.	Cost.
Corn meal.....	8 oz.	0.74	820	1.5
Skim milk.....	1 pt.	.60	182	2.0
Total.....		1.34	1,002	3.5

The use of syrups or other carbohydrates increases the fuel value of the preparation.

COMPOSITION AND COST OF A PORTION OF CORN MEAL MUSH AND WHOLE MILK.

Food Materials.	Amount.	Protein.	Fuel value.	Cost.
Corn meal.....	8 oz.	0.74	820	1.5
Whole milk.....	1 pt.	.58	330	5.0
Total.....		1.32	1,150	6.5

The average man in active exercise requires food containing 4.48 ounces of protein and possessing a total fuel value of 3,500 calories. The foregoing tables show that about one-third of this daily ration is very economically furnished by two of Illinois' leading products."

EGGS.

Eggs, because of their concentrated food value, the simple methods which may be used in preparing them and their relative freedom from waste, are one of the best food products which we have. Their use as a meat substitute is often desirable, even when their price would not so indicate.

The Dairy and Food Department is preparing a bulletin on "How to Preserve Eggs by the Water Glass Method" and would be glad to send it to anyone requesting the same.

CHEESE.

Cheese, an important milk product, is a very valuable food. It may be used as a meat substitute, being prepared in combination with macaroni, or rice as a rarebit or with fruits or vegetables in salads. Cheese contains high percentages of both protein and fat and ranks high as a tissue building food.

CORN.

The U. S. Government advises us all to eat more corn. Corn is distinctively an American product and approximately two-thirds of the corn in the world is produced in the United States. There are a number of countries in Europe in which corn is wholly unknown. There is no question that corn could be used more than it really is. It is wholesome and easily prepared. Those of us who have been fortunate enough to visit some of our Southern friends will remember the delicious corn bread, Johnny cake or hoe cake prepared by them.

Corn was one of the basic foods of our American Indian. Those interested in corn meal or corn as a food should write to the U. S. Department of Agriculture for Farmers Bulletin No. 565, "Corn Meal as a Food and Ways of Using It." This will be sent free upon request, and it is worth writing for as it contains fifty tested receipts on the preparation of corn and corn products.

The annual corn crop in the United States averages three times as many bushels as the wheat crop. A large crop is forecasted for this year. The European countries are calling for wheat. We can render a service to them and to our country by eating more corn.

SUBSTITUTES FOR WHEAT FLOUR.

Experts of the Bureau of Chemistry and of various State Experiment Stations have baked not less than forty different kinds of bread using substitutes for Wheat flour. All of these breads are palatable and some of them are pronounced superior to wheat bread. The wheat substitutes include corn meal, rye, oats, banana flour, cottonseed meal, peanuts, chestnuts, and last, but not least, rice. In the back of this bulletin will be found various receipts for the use of wheat substitutes.

RICE.

Few people realize that while some foods have advanced in price one hundred per cent or more in a year, rice has remained practically the same. Rice is palatable and easily digested. It is an important food which has not been given as prominent a place as it deserves, in the American diet. The Southern Rice Growers Association of Beaumont, Texas, has prepared a booklet giving a great number of methods for the preparation of rice for table use, which will be sent free upon request.

MEAT.

In regard to the limitations of meat in the diet Prof. McCollum says: "The first place and the safest place to economize is in the consumption of meat. We can do without the consumption of meat without any detriment to us, if we care to give up the pleasure of eating meat. Meats are good. We all like them, and to some extent we are going to continue to eat meat. I would not advise doing away with the beef-producing industry. The leather industry is one which we must protect. If it is necessary to economize, the wise thing to do is to shear the family budget in meat expenditures, and use meat largely for conferring palatability to vegetables and other foods in the form of soups and gravies."

It is a well known fact that the American people eat too much meat; not only do we eat too much, but we are entirely too careless in our purchase and use of meats. The telephone has been blamed for the high cost of living. Our grandparents were content with putting a basket on their arm and going to the store and seeing exactly what they were getting; we go to the telephone and take our butcher's recommendations for the choice cuts of the day, paying no attention to our bodily needs,

SOY BEANS.

In view of the prospective shortage of navy beans on the market owing to the expected Government demand for this product it would be well to consider the use of the soy bean as an article of diet. Information concerning the methods of preparing and serving the soy bean will be gladly furnished by the Home Economics Department of the Michigan Agricultural College where considerable work has been done upon this product.

CANNING OF VEGETABLES.

We are informed by the U. S. Government that it has contracted for sixty-five per cent of the output of the canners of the country, and that

the allies will probably take over the other thirty-five per cent. This information should induce the American housewives to preserve vegetables which are plentiful in the summer, for winter consumption. There can no longer be the excuse that canned vegetables do not keep, for the Cold-Pack method has been proven by experts to be successful for the canning of vegetables as well as fruits. Canning demonstrations are being held everywhere. The Michigan Agricultural College, East Lansing, the U. S. Department of Agriculture will only be too glad to send you any information on the process of canning vegetables.

DRYING OF VEGETABLES.

In case of shortage of cans, vegetables and fruits may be preserved by drying. A bulletin upon this subject also may be secured from the U. S. Department of Agriculture.

The Dairy and Food Department will do its part in this campaign. It will try to see to it that the people of the State have good butter, clean, pure milk, as well as all other foods in the best possible condition.

The production and distribution of food will be carefully watched by the Government but it will be upon the American housewife that the real responsibility of food conservation will rest. The following rules from an article in the "Outlook" by Ruth Wright Kauffman may well be taken as a slogan at this time.

Buy wisely.
Cook wisely.
Eat wisely.
Waste nothing.

The following is a list of bulletins which are of value to housewives in the campaign for food conservation:

Obtainable from Michigan Dairy and Food Department:

Food and Food Values.
To Reduce Food Costs Use More Milk.
Candle the Eggs.

Obtainable from the U. S. Department of Agriculture:

Principles of Nutrition and Nutritive Value of Food				Farmers Bulletin No.	
Care of Food in the Home.....	"	"	"	375	
How to Select Foods.....	"	"	"	808	
Bread and Bread Making in the Home.....	"	"	"	807	
Economical Use of Meat in the Home.....	"	"	"	391	
The Use of Milk as a Food.....	"	"	"	363	
The Care of Milk and its Use in the Home..	"	"	"	413	
Cheese and its Economical Uses in the Diet..	"	"	"	487	
Use of Fruit as a Food.....	"	"	"	293	
Canned Fruit, Preserves, Jellies, Household Methods of Preparation.....	"	"	"	203	
Canning Vegetables in the Home.....	"	"	"	359	
Preparation of Vegetables for the Table.....	"	"	"	256	

Drying Fruits and Vegetables in the Home.. Farmers Bulletin No. 841
Home Canning by the One Period Cold-Pack

Method	"	"	"	839
Beans, Peas, and other Legumes as Food....	"	"	"	121
Cereal Breakfast Foods.....	"	"	"	249
Food Value of Corn and Corn Products.....	"	"	"	298
Corn Meal as a Food and Ways of Using It..	"	"	"	565
Sugar and Its Value as Food.....	"	"	"	535
Home Made Fireless Cookers and Their Use.	"	"	"	771

FOOD CONSERVATION.

MRS. EDITH McDERMOTT LAWRENCE.

(Former Instructor of Domestic Science at M. A. C.)

Cooking is the biggest single business in America. The American housewife spends over fourteen billion dollars annually for food. Over ten per cent of this is wasted before it reaches the dining room. Women spend ninety per cent of the money men earn. In no one way may a housewife better serve her family than by having the bread they eat made at home. The average commercial loaf is poorly baked, over-inflated to give size, and often made of inferior materials. By using a variety of flours and meals, bread may give great variety to the diet. With the urgent demand upon this country for wheat comes the need for the American housewife to use some other cereal with wheat flour, thereby leaving wheat, which is more easily shipped than most other cereals, for the foreign market. Excellent bread may be made by using one-third shorts, middlings, or cottonseed meal and two-thirds flour. Use only hard wheat for bread flour, as the gluten content is higher and of a better quality.

A FEW HINTS ON BREAD MAKING.

1. If bread stands too long before baking the nutritive value is lessened.
2. Keep bread about 80 degrees Fahrenheit from the time it is first mixed until it goes into the oven.
3. Bread should be placed in an oven at 360 degrees Fahrenheit. At the end of fifteen minutes the temperature should be raised to about 420 degrees Fahrenheit, remain there for fifteen minutes, then lower to 360 degrees Fahrenheit. A piece of white paper will turn a golden brown in five minutes if the oven is 360 degrees Fahr. in two and a half minutes if the oven is 420 degrees Fahr. A pound loaf should bake from fifty to sixty minutes, if in an oblong pan; rolls from twelve to thirty minutes.
4. Compressed yeast may be had by the pound. Cover with water and lower in the well when there is no ice. It will keep in a refrigerator for a month or more; keep covered.
5. When corn meal is used with bread flour it should be cooked with

part of the liquid to be used in the bread about five minutes before being used. It prevents stickiness.

6. Water in which rice, macaroni, and other starch foods have been cooked, may be used for bread.

7. Potatoes added to a poor quality of flour will make better bread, as the yeast feeds upon the potato starch readily.

8. Bread should be turned upon a wire rack to cool. Never wrap it in cloth or paper while hot.

9. Bread should be kept in a tin box or a stone crock. Never put a cloth or paper in with it. The receptacle should be scalded and aired once a week in winter and twice a week in summer.

10. Whole wheat, corn meal, oatmeal, barley, and meals, made from beans and corn, are higher in vitamins than the average bread flour. Cottonseed meal is higher in proteins.

11. Dates, raisins or nuts may be added to bread or rolls, changing the flavor, and increasing the food value. Dates and raisins are higher in food value than any of the dried fruits.

12. All measurements are level.

13. T. means tablespoon.

t. means teaspoon.

C. means cup.

lb. means pound.

War Bread.

$\frac{1}{4}$ lb. Corn Meal.

$\frac{1}{2}$ lb. Bran.

$2\frac{1}{2}$ lbs. Bread Flour.

5 T. Fat.

5 T. Sugar.

4 t. Salt.

5 C. Water.

1 cake compressed yeast.

Soak the yeast in $\frac{1}{2}$ cup of above mentioned water. Cook corn meal in two cups of above mentioned water for five minutes after water begins to boil. Then turn into the bread mixer. Be sure it is lukewarm before adding the yeast. Turn the bread mixer for three to five minutes. Cover and let stand until double its bulk. Shape into loaves, put into brick-shaped pans, oil top of loaf, let stand until it again doubles its bulk, and bake. This may be baked in muffin tins if desired, making splendid rolls. The bread may be oiled when removed from the oven if a soft crust is desired.

A Good Foundation Bread.

4 lb. Bread Flour.

5 c. Water.

5 T. Fat.

5 T. Sugar.

4 t. Salt.

1 cake yeast.

Follow directions for War Bread. One-third shorts, middlings, or cottonseed meal may be used in place of all flour.

Oat Meal and Corn Meal Bread.

- 1 c. Rolled Oats.
- $\frac{1}{2}$ c. Corn Meal.
- 2 t. Salt.
- 1 T. Fat.

Mix well, add two cups boiling water, cook for five minutes, cool and add $\frac{1}{2}$ cup molasses, $\frac{1}{2}$ cake yeast, dissolve in $\frac{1}{4}$ c. water, add about six c. flour. Follow directions for War Bread.

Oat Meal Bread.

- 2 c. Oatmeal.
- 3 c. Boiling Water.

Cook for ten minutes. When lukewarm add $\frac{1}{4}$ cup sugar, 3 ts. Salt, one cake yeast dissolved in 1 c. Water; 2 T. Fat, Flour to make a dough, about 2 lbs. Follow directions for War Bread.

Orange Bread.

- $\frac{1}{2}$ to 1 cake yeast.
- $\frac{1}{4}$ cup water.
- 1 egg.
- 2 T. oil.
- 1 t. Salt.
- 2 T. Sugar.
- Grated rind of two oranges.
- $\frac{3}{4}$ C. orange juice; add enough water to make 1 C.
- 1 lb. Flour.

Turn into a bread mixer and turn from three to five minutes. When it doubles its bulk shape into loaves, oil top, and let it again double its bulk, and bake; may be baked as rolls.

Prune Rolls.

- 3 C. Bread Sponge.
- $\frac{1}{4}$ C. Sugar.
- 3 T. Fat.
- $\frac{1}{2}$ lemon Rind, grated.
- 1 C. Prunes, stoned and chopped.
- Flour to make a dough.

Any other sauce may be used in place of prunes. Follow general directions for bread making.

SOME MEAT SUBSTITUTES.

Bean Croquettes.

Soak 1 cup of Beans (any dry bean) over night in 3 cups of water. Add a small onion, slice of carrot, sprig of parsley, and cook until tender. Rub through sieve, and add 1 cup of stale bread crumbs, one egg slightly

beaten, salt and seasoning to taste. Make a sauce from 1 tablespoon of fat, two tablespoons of flour, $\frac{1}{3}$ cup of milk. Combine the mixtures, cool, shape, roll in bread crumbs, beaten egg, again in crumbs, and fry in deep fat. It may be baked in a pan and served as a bean loaf. Serve with tomato sauce. The fat in which the above are cooked should be hot enough to brown a small piece of bread in forty seconds. Drain on soft paper. The egg may have 1 T. Water added before it is beaten.

Rice Croquettes.

- $\frac{1}{2}$ C. Rice.
- $\frac{3}{4}$ C. Stock or Water.
- 1 C. Tomatoes.
- 1 t. Sugar.
- 1 Egg.
- 1 C. Grated Cheese or Chopped Nuts, or bits of Cold Meat.
- 1 T. Fat.
- Seasoning: onion, parsley.
- 2 cloves.
- $\frac{1}{4}$ ts. peppercorns, salt.

Wash the rice, add the stock and steam until the stock is absorbed. Add tomatoes which have been cooked for twenty minutes with the seasonings and rubbed thru the strainer. Cook until rice is soft, remove from the fire, add the egg slightly beaten, cheese or nuts, or meat, and spread on a plate to cool. Shape, roll in crumbs, egg, again in crumbs, cook in deep fat. Dry on paper. This, too, may be served with tomato sauce or cream sauce.

Peanut Chops.

Cut stale bread $\frac{1}{2}$ inch thick, spread with peanut butter on both sides and ends. Beat one egg, add six tablespoons of Milk, dip the chops in this mixture, roll in bread crumbs and bake in a hot oven or fry in hot fat. The fat should be hot enough to brown a piece of bread in forty seconds. Drain on soft paper.

Peanut Roast.

- 2 C. Stale Bread Crumbs.
- 1 quart Milk.
- 1 C. Peanuts roasted and browned.
- 4 Eggs well beaten.
- Season with salt.

Bake in a moderately hot oven from 35 to 40 minutes. Serve with white sauce or tomato sauce. When eggs are expensive, a pint of thick white sauce may be added and two or more of the eggs omitted. Cheese may be substituted for Peanuts.

Peanut Croquettes.

- 4 T. Fat.
- $\frac{1}{3}$ C. Flour.
- 1 C. Milk.
- $\frac{1}{2}$ to 1 C. of Ground Roasted Peanuts.

Make a thick white sauce by melting the fat, adding the flour, stirring in the milk, then the peanuts. Season, turn on to a plate to cool, shape, roll in crumbs, egg, and crumbs, and fry in deep fat. This may be placed in a pan and baked in the oven if desired. Cheese may be substituted for Peanuts. Blanched salted peanuts are convenient to use for either of the above.

GELATINE RECEIPTS.

Gelatine is valuable in utilizing left overs as well as in creating new dishes. Gelatine is called a "protein sparer" and plays an important part in food economy. Often there is not enough of one food, but if two or more are combined an appetizing dish may be made. Another advantage is that the food does not need to be recooked, which often lessens the nutritive value.

A Specimen Left-Over Recipe.

- 1 C. Fish or Meat.
- 1 C. Beans, Corn or Peas.
- 2 T. Peppers, Green or Red, chopped, or combination of these and others.
- 1 C. Water or Stock.
- $2\frac{1}{2}$ T. Gelatine.
- Seasoning.

Soak the gelatine in $\frac{1}{4}$ C. of the liquid for a few minutes, heat the remainder and pour over the gelatine. Stir until dissolved. Mix with the other materials, season, mold, chill. Serve as a main dish or a salad.

Mexican Jelly Salad.

- 2 C. Tomatoes.
- 2 Cloves.
- 2 t. Onion.
- Dash of Tobasco Sauce.

Cook until the onion is soft. Strain, add 3 T. Gelatine, dissolve in $\frac{1}{4}$ cup Water, bits of red pepper and celery; cold and chill. Serve on lettuce leaves with mayonnaise.

Ginger Ale Salad.

- 1 package Orange Gelatine Jelly.
- 1 C. Boiling Water.
- 1 C. Ginger Ale, or 1 C. Grape Juice, or 1 C. of a combination of Fruit Juices.
- $\frac{1}{2}$ C. Apple, diced.
- $\frac{1}{2}$ C. Celery, diced.
- $\frac{1}{2}$ C. Pineapple, diced.
- $\frac{1}{4}$ C. Crystal Ginger (if Ginger Ale is used).

When the gelatine begins to set, stir in the fruit. Serve with mayonnaise on lettuce leaves. May be used as a combination salad and desert.

Frozen Fruit Salad.

- $\frac{1}{4}$ C. Orange.
- $\frac{1}{4}$ C. Pineapple.
- $\frac{1}{4}$ C. Banana.
- $\frac{1}{4}$ C. Cherries.
- 1 C. Cream, whipped.
- $\frac{1}{2}$ C. Boiled Salad Dressing.

Mix all together, turn into baking powder cans, pack in ice and salt, let stand for four hours. Serve as a desert or a salad.

A FEW SIMPLE CAKES.

Orange Sponge Cake.

- 3 Eggs.
- 4 T. Orange Juice.
- $\frac{1}{2}$ T. Lemon Juice.
- $\frac{3}{4}$ C. Sugar.
- $\frac{1}{4}$ t. Grated Orange Rind.
- 1 C. Pastry Flour.
- $\frac{1}{8}$ t. Soda.
- $\frac{1}{8}$ t. Salt.
- $\frac{1}{4}$ t. Baking Powder.

Beat the yolks, orange and lemon juice, and rind, until light. Add the sugar, and flour, which has had the salt, soda and baking powder mixed with it, and beat. Fold in the stiffly beaten whites. Bake in a buttered pan about forty minutes in a moderate oven, or in small buttered pans from 15 to 20 minutes. Roll in powdered sugar.

Honey Puff Balls.

2 T. Fat.
¼ C. Sugar.
¼ C. Honey.
1 Egg.
½ C. Milk.
2½ t. Baking Powder.
2½ C. Flour.
Dash of Salt.
1 t. flavoring (a good combination flavoring is
lemon, cinnamon, and nutmeg extract.)

Beat the egg, and add the fruit, sugar and honey. Beat well, add milk. Sift baking powder and salt with the flour, add the above. Beat thoroughly. Flavoring may be added at any time. Drop by spoonful into hot fat, and roll in sugar, or bake as tea cakes.

Peanut Macaroons.

White of one egg.
¼ C. Fine Granulated Sugar.
5 T. Finely Chopped Peanuts.
1 t. Vanilla.

Beat the egg until very stiff. Add gradually the sugar, then the nuts and vanilla. Drop on oiled paper, bake in a slow oven from 20 to 30 minutes. Any other nut may be used in place of peanuts.

Marshmallow Teas.

Place ½ a marshmallow (cut crosswise) on a small unsweetened cracker. Make a deep impression in the center of each marshmallow. Add ¼ t. of melted butter. Bake until the marshmallow is a delicate brown. Fill the depression with jelly, jam, or candied cherries.

YOU CAN PATRIOTICALLY SERVE YOUR COUNTRY TODAY.

The housewife can make wiser selection and exercise more care in preparation of food. Each member of the family can help by accepting a reasonable change in food habits. This service is not a matter of poverty or riches but is a question of patriotic duty. The highest type of patriotism realizes that present day economy must mean to eliminate waste and the substitution of cheaper foods of equal nutritive value for the more expensive commodities. The housewife must be intelligent and make the dishes served of such a size that there will be enough to satisfy the appetite of the family, with no table or plate waste. Nothing usable should be thrown into the garbage pail. Care must be exercised in the preparing of food that no unnecessary waste is allowed. There are thousands of pounds wasted each year in not using all the edible food content in the potatoes consumed. With potatoes at \$3.50 a bushel, 85 cents is wasted on each bushel by the usual method of peeling. The milk remaining in the inside of the bottle should be rinsed down with a small quantity of clean water and used in milk sauces or soups. The knife used in cutting butter should be rinsed in the stock pot or vegetable dish

to utilize all the fat. The liquid in which the vegetables are cooked could be combined with soups. The smallest quantities of left-over vegetables, meat or cereals, may be used in soups, sauces, salads, or combined with other foods to serve for another meal. As a patriotic war measure as well as a matter of thrift, the cook should turn off the gas before removing the cooked food, that all the heat may be utilized. It is not mean to be economical, but it is vulgar to be wasteful. It is the meanest kind of a slacker who would willingly waste at a time when thousands of little children are starving. Every ounce of food that you may save makes it possible for some hungry child to receive the result of your economy. Patriotic economy does not consist in a measure which would upset the economic conditions of our country, but rather help each and all to a just portion of what is needful. War time economy in America means that each family should cut down to a reasonable extent the consumption of meat and wheat. It also means that each housewife should endeavor to sustain her family and help sustain the needy neighbor's family to a point of high efficiency. This is not a mean task, and one should be proud to be called to serve in such a class of home defense.

IS YOUR DOLLAR DOING ITS DUTY?

Two Market Baskets, each containing one dollar's worth of food. The first is considered as a poorly filled basket, with its cost of items and food calories as follows:

	Cost.	Calories.
1 package of Post Tosties	\$0 15	575
1 can Lima Beans	20	350
5 pounds White Potatoes.....	25	890
1 pound Round Steak.....	20	500
1 jar Pickles.....	20
	\$1 00	2,315

The second is considered as a well filled basket and is as follows:

	Cost.	Calories.
1 package Rolled Oats.....	\$0 10	1,800
2 pounds Dried Lima Beans	25	2,300
3 pounds Rice	25	4,800
1 pound Peanuts	20	2,488
1 pound Prunes.....	15	1,160
Corn meal.....	05	2,755
	\$1 00	16,203

FOOD SUPPLIES.

Minimum Food supplies necessary for an average family of five, two adults and three small children for one day—Bread 1½ pounds, Rolled Oats 4 oz., Rice or Hominy 8 oz., Corn Meal 8 oz., Flour 8 oz., Sugar, including molasses, syrup and candy, 10 oz., Butter 4 oz., other fat in-

cluding lard, suet, bacon fat, and sweet oil 6 oz., Milk 2 quarts, Beef 1 pound, Eggs 2, Fruit and green vegetables according to season.

POINTERS ON THE HIGH COST OF LIVING.

With the prevailing high prices on all food products, consumers are warned to watch very carefully in their purchases for adulterations and short weights. Recent instances which have come to the attention of this Department are as follows:

BUTTER.

We have discovered that cold storage butter is being shipped into Michigan from Chicago to several large creameries. These creameries freshen the butter by manipulation and are able to incorporate a certain amount of extra water thereby increasing the weight of the butter. Normal butter should not contain to exceed 15% to 16% moisture. By this manipulation process we have taken samples of butter that show 25% moisture. Forty cents a pound is too much to pay for water and a final warning is given all creameries that this practice must cease or prosecution will follow. We also find that large numbers of oleo and butter prints are an ounce shy on the pound which is a practice which must be stopped.

POTATOES.

The high price of potatoes has brought out numerous violations of the Short Weight Law. The law requires sixty pounds as the weight of a legal bushel of potatoes. A peck should weigh 15 lbs. We have taken up samples that show only twelve to thirteen pounds to the peck. Consumers are asked to insist upon having full weight when buying potatoes.

In Southern Michigan potatoes are being shipped in from the states of Maine and New York and being sold at the car door for \$1.50 per bushel. In parts of Northern Michigan potatoes are selling for less than \$1 per bushel. There is no reason why Michigan potatoes should not be used in Michigan.

We would ask all co-operative potato growers and sellers associations to send to this Department their name and address. We would also like to receive the names of all dealers and other buyers who desire to buy potatoes in car load lots in Northern Michigan. In this way we can put producers and consumers in touch with each other and thus furnish a market for Michigan potatoes in Michigan.

JAMES W. HELME,
State Dairy and Food Commissioner.

EAT BUTTER AND EGGS OR HAY.

At the meeting of Dairy and Food officials in Detroit last summer, Prof. McCollum of the University of Wisconsin, after several years of experiments in feeding white rats announced the most important discovery yet made in food lines. Prof. McCollum fed rats on corn, wheat, oats, rye, cooked beans, green peas, corn gluten, flaxseed oil meal, onions and peanuts. Rats were fed on each of these grains alone and on a mixture of all of these substances. In all cases the result was the same: viz., for a period of 90 days they grew at about half the normal rate and then ceased to grow after that time. But one female produced young on this diet and the offspring averaged in weight only 50 grams at 90 days of age although normally they should weigh 100 grams. By adding to the above ration the fats found in either butter or eggs, normal growth was made and young animals were easily produced. Prof. McCollum tried substituting for the butter and egg fats, various other fats such as lard, tallow, olive, cottonseed and other vegetable fats but none would take the place of the butter or egg fats. He was not able to identify this unknown food element in butter and eggs but when we remember that the fats existing in butter and eggs are the only ones that are manufactured by the organs of reproduction for the nourishment of the young, we can readily see why these fats have such a high value for growth and are so easily digestible. A normal mother rat placed on a ration in which this unknown food element found in milk and egg fats was absent, rapidly became emaciated, the young did not attain half size and were never weaned. Physicians now prescribe milk, butter and eggs as the most suitable and easiest digested foods for tuberculous patients. Persons who, at the present time, are advising the non-consumption of butter and eggs should understand that such advice may be injurious, especially to the growing child and nursing mother. In all his experiments Prof. McCollum found but one food that contained this valuable unknown element and, strange to say, that was alfalfa flour which is made by grinding alfalfa hay. The boycotters who are abstaining from the use of butter and eggs, Michigan's most valuable products, should at least consume some ground alfalfa hay in its place. It can be obtained at any store where poultry feed is sold at a reasonable price.

JAMES W. HELME,

State Dairy and Food Commissioner.

WHAT'S IN YOUR VINEGAR?

If you ask the ordinary customer how vinegar is made, he will at once reply, "From cider." He remembers the days down on the farm when Dad took a load of apples to the cider mill. When Dad returned, the cider barrels were placed in the cellar and the family revelled in cider so long as it was safe to do so without losing its church reputation; the next spring the barrel contained pure cider vinegar. But times have changed; commercial greed has found a much cheaper way to make "pure cider vinegar." A large amount of vinegar now in the state is made in this way: In various states outside of Michigan, windfall apples are dried in factories. The waste of cores, peelings and worms are also dried and shipped to so-called vinegar factories. This waste is moistened and allowed to partially ferment and rot in a hot room. The rotten part gives the color of cider. This rotten mass is mixed with water and pressed. The resulting juice is fermented, barrelled and labelled "Pure Cider Vinegar." This dope can be sold so cheap that it has driven legitimate cider vinegar made from fresh apple juice nearly out of the market. Although Michigan is the second state in the union in the production of apples and could supply her entire wants and that of other states with pure cider vinegar, thousands of bushels of cider apples lie rotting on the ground because of the unfair competition of this imitation vinegar. Thereby Michigan apple growers are deprived of part of their earnings and legitimate manufacturers in the state are driven out of business.

This department has seized several hundred barrels of this vinegar made from partially rotten peels and cores, the waste of evaporators. The sale of this imitation product as vinegar will not be permitted. Every effort will be made to put this stuff in the sewer instead of down people's throats. Dealers will be prosecuted for selling this stuff as vinegar. To protect dealers and jobbers, this department will furnish the names of all manufacturers whom we have found to be making this imitation vinegar from peels and cores.

Michigan is going to return to the consumption of cider vinegar like "Dad" used to make from real cider made from real fresh apples, "down on the farm."

JAMES W. HELME,
State Dairy and Food Commissioner.

THE PURE FOOD GRAFT.

JAMES W. HELME.

A noted French woman on being led out to execution on beholding the guillotine exclaimed "O Liberty, what crimes are committed in thy name!"

The Dairy and Food Commissioner at the present day and age on beholding the various "pure food shows" and "pure food departments" in newspapers and the self-constituted "pure food experts" and "pure food sanitarians" might exclaim "O Pure Food, what grafts are committed in thy name!"

Just now one of these schemes is being worked through Michigan which to the writer seems to be merely a hold-up upon milk producers. There appeared in Lansing a short time ago a gentleman by the name of Stuart T. Todd who dubbs himself "expert milk sanitarian." So far as we are able to learn, Mr. Todd's experience in milk lines is that he was formerly engaged in newspaper work. He has not a position and never has been on the inspection force of any Health Board or Dairy and Food Department but his principal job seems to be to milk the milk producer. Just how Mr. Todd selected Lansing for his scene of operations is not known except that in the Lansing Journal of July 18th appeared this statement:

"Stuart T. Todd, expert milk sanitarian, has just completed for the State Journal a ten days' sanitary survey of the dairies and milk plants supplying Lansing."

Todd's operations seem to be as follows: He was in Lansing four days instead of ten. He visited the principal dairies and distributors supplying milk and milk products. He informed them that after inspection he found them all right and solicited an ad for the Lansing Journal. A full page of these ads was published in the Journal July 18th. These ads cost the dairymen \$265. Several dairies were inspected and passed as "good" by Mr. Todd but were refused recognition in the paper by name because they refused to put up money for an ad.

The bad part of this proposition is that people who refuse to advertise and who have good dairies, were virtually placed on the black list by the newspaper in question. Several dairymen who advertised said that they did so because it was cheaper than to explain to 200 or 300 customers why they were not officially endorsed by this great "sanitarian." The largest advertiser and milk distributor had only his milk plant inspected. Contrary to the statement of the Journal, no dairies supplying this plant were inspected by this great "sanitarian." The creamery that was inspected by this great "sanitarian" and given a "quality" standard had just been ordered to clean up by the Dairy and Food Department and at the time of the great sanitarian's inspection had no fly screens to protect its product.

A local ice cream man was offered an ad for \$35 but when he refused

to pay, a competing firm in another city was given the ad without inspection.

The summer inspection of dairies is valueless as the cows being fed and milked out doors, summer milk in farm dairies approaches ideal conditions. We wish to warn dairymen and producers of milk products generally not to fall for this kind of help-up. This man has no official connection with the Dairy and Food Department or any Health Board in Michigan. He is not entitled to go on the premises and make inspections. His inspections, of course, are valueless. If any dairyman wishes to advertise the condition of his product and premises, the Dairy and Food Department will be glad to make an inspection without charge and give them a proper and truthful certificate under its official seal. Do not be bled by traveling strangers without authority and who are not in the business for the public health but for their private profit. It would be interesting to know what the percentage of division was between this milk sanitarian and the newspapers that boom him.

MICHIGAN PEACHES.

This is a bulletin on Michigan peaches,—the horticultural kind. Michigan grows the finest peaches in the Union, the quality is extra good this year. The bulk will be marketed between September 10th and 30th. Don't buy southern peaches that have little flavor on account of being picked green for long shipment. Food stuffs are high this year. Our antiquated methods of distribution make the cost still higher. From producer to consumer has been an ideal dream never yet successfully accomplished. And yet it can be. Two things are necessary.

First, Organization of the growers and standardization of the pack so the consumer may know just what he is buying without seeing the product.

Second, Organization of consumers so they can buy direct from the grower in car lots of 400 bushels thus saving transportation charges, and do their own distribution.

The first has now been successfully accomplished and fine peaches can be bought of the grower in iced cars true to grade at very reasonable prices. Now it's up to the consumer to get busy and organize his end instead of growling at the high cost of living.

Let consumers of each community get busy and take orders among themselves to buy a car load of peaches (400 bu. in bushel baskets). All leading varieties can be furnished in three grades. Grade AA consists entirely of peaches $2\frac{1}{4}$ in. and over in diameter, Grade A is $1\frac{7}{8}$ to $2\frac{1}{4}$ inches in diameter and Grade B is $1\frac{1}{2}$ to $1\frac{7}{8}$ inches in diameter. The writer has inspected the orchards of these growers, the fruit has been sprayed and thinned and is of fine quality.

The packing is done by mechanical graders and every peach in a basket is exactly the size prescribed by the grade. No inferior or small fruit will be shipped.

Now, Mr. Consumer, it is up to you to stop kicking about Mr. High-

Cost-of-Living and get busy; organize your neighbors in a peach consumer's league that will take a car load (400 bu.) of peaches. Notify the Dairy and Food Department at Lansing and we will give you the names of reliable growers you can order from and quote you net prices which will be reasonable.

The one way to cut down living expenses is for the consumer to organize and deal directly with similar organizations of producers. Retail dealers will also be put in touch with reliable growers on application to this Department.

JAMES W. HELME,
State Dairy and Food Commissioner.

EGGS.

GOOD AND BAD.

Read this bulletin carefully and thereby avoid a possible prosecution and fine.

WHAT FOR?

Any person selling bad eggs under the provisions of the State's food law may be prosecuted, fined and imprisoned in the discretion of the court. The general food law of the State reads in part as follows:

"An article shall be deemed to be adulterated within the meaning of this Act * * * Fourth, if it consists wholly or in part of a diseased, decomposed, putrid, infected, tainted or rotten animal or vegetable substance or article whether manufactured or not * * *"

The sale of bad eggs comes clearly within the above provision.

THE CAUSE OF BAD EGGS.

There is practically only one thing on the farm to which can be traced the ultimate source of all bad eggs and that is the rooster. A fertile egg is one that contains the germ of life of the young chick. As soon as this egg is heated to one hundred degrees this germ of life begins to grow and if the heat is continued for twenty-one days a chicken is hatched. But suppose after the heat continues a day or two, the temperature of



THE ULTIMATE SOURCE OF ALL BAD EGGS.

the egg falls below ninety degrees, what happens? The germ of the young chicken dies, becomes dead animal matter, and, like every dead animal, it putrifies and decays and, as a result, we have the rotten egg.

HOW TO PREVENT BAD EGGS.

If you leave your eggs out in the hot sun or if the setting hen incubates them a few hours, and they are fertile, life starts. Then if the eggs are chilled the following night, death ensues, and in a few days, depending on the warmth of the air, the dead animal matter rots and you have bad eggs. To prevent this happening to fertile eggs they should be gathered twice a day and put in a cool place, and all would-be setting hens should not be allowed to set where other hens can lay with them.

HOW TO TELL THE EGG GONE WRONG.

"Candling" the eggs will tell you to a certainty whether you have a good or bad egg. This means to simply hold the egg between the eye and an artificial light. It should be done in a dark room. A paper or tin tube about nine inches long may be used. With the eye at one end of the tube and the egg, butt up, at the other end, and the lamp just beyond the egg, the egg becomes transparent and the white, yolk and air chamber can be fully seen. If the egg is fresh, no life germ can be detected, but if it has been sat on a few hours, the life germ will show in the form of a red ring or vein of blood, its size depending on the length of the time of incubation.

HOME MADE EGG TESTER.

An egg tester can be made from a mailing tube. Prepare a double thickness of heavy brown paper four inches square, with a hole one inch in diameter in the center. Place one end of the tube at the center of this square of paper and double the edges of the paper over it to form a cap. The free end of the tube is placed at the eye and the egg to be examined is pressed lengthwise against the hole in the cap. Point the tester and egg to the sun or a bright light, and you can plainly see the contents of the egg. The paper cap acts as a cushion between the egg and the end of the mailing tube and prevents any light entering the interior of the tube around the side of the egg.

Here is how a fresh egg looks that has never been sat on.



But if the egg has been incubated for twenty-four or thirty-six hours we have this result.



NO. 1. FERTILE EGG AFTER 24
HOURS AT 103° F.
Fertile germ beginning to hatch.
Not perfect for food.



NO. 2. FERTILE EGG AFTER 36
HOURS AT 103° F.
Blood ring formed. Not good for food.

If sat on forty-eight or seventy-two hours the eggs looks this way when "candled."



NO. 3. FERTILE EGG AFTER 48
HOURS AT 103° F.
Blood ring fully developed. Unfit for
market. Will be thrown out by
candler.



NO. 4. FERTILE EGG AFTER 72
HOURS AT 103° F.
Blood vessels of embryo chick clearly
marked.

Eggs like Nos. 1, 2, 3 and 4 should not be sent to market. Eat them if you can but don't ask other people to eat them for if you do you might be fined one hundred dollars under the pure food laws.

TAKE NO CHANCES. CANDLE YOUR EGGS.

Then you can have a clear conscience and laugh at the pure food inspector.

It will be noticed that the bad egg is caused by the fertility of the egg and the fertility of the egg is caused by the rooster; hence

NO ROOSTER, FEW BAD EGGS.

If an egg has not been fertilized it will not rot if sat on for a week. There being no animal germ to die and decay, the white and yolk dry up but will not rot.

Here are some pictures showing an infertile egg that has been sat on from twenty-four hours up to seven days.



1A. INFERTILE EGG AFTER 24 HOURS AT 103° F.

No fertile germ. No blood ring. Still good for food. It would be still better if kept cool.



3A. INFERTILE EGG AFTER 48 HOURS AT 103° F.

Still good for food.



4A. INFERTILE EGG AFTER 72 HOURS AT 103° F.

Not an absolutely fresh egg, but useful in cookery.



5A. INFERTILE EGG AFTER 7 DAYS AT 103° F.

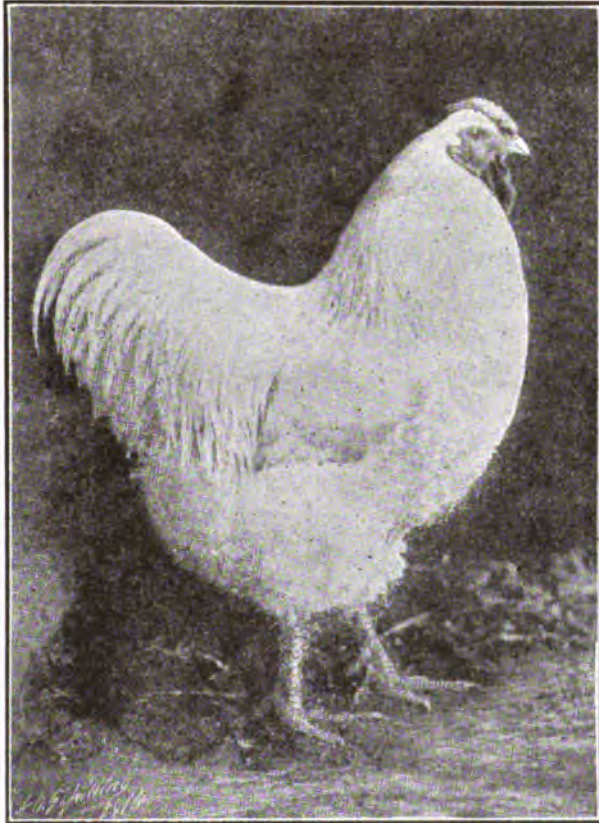
Still usable for food. It would be a perfect egg if it had been kept cool. Compare with fresh egg and fertile egg.

After June fifteenth the season to set eggs is over and at this time

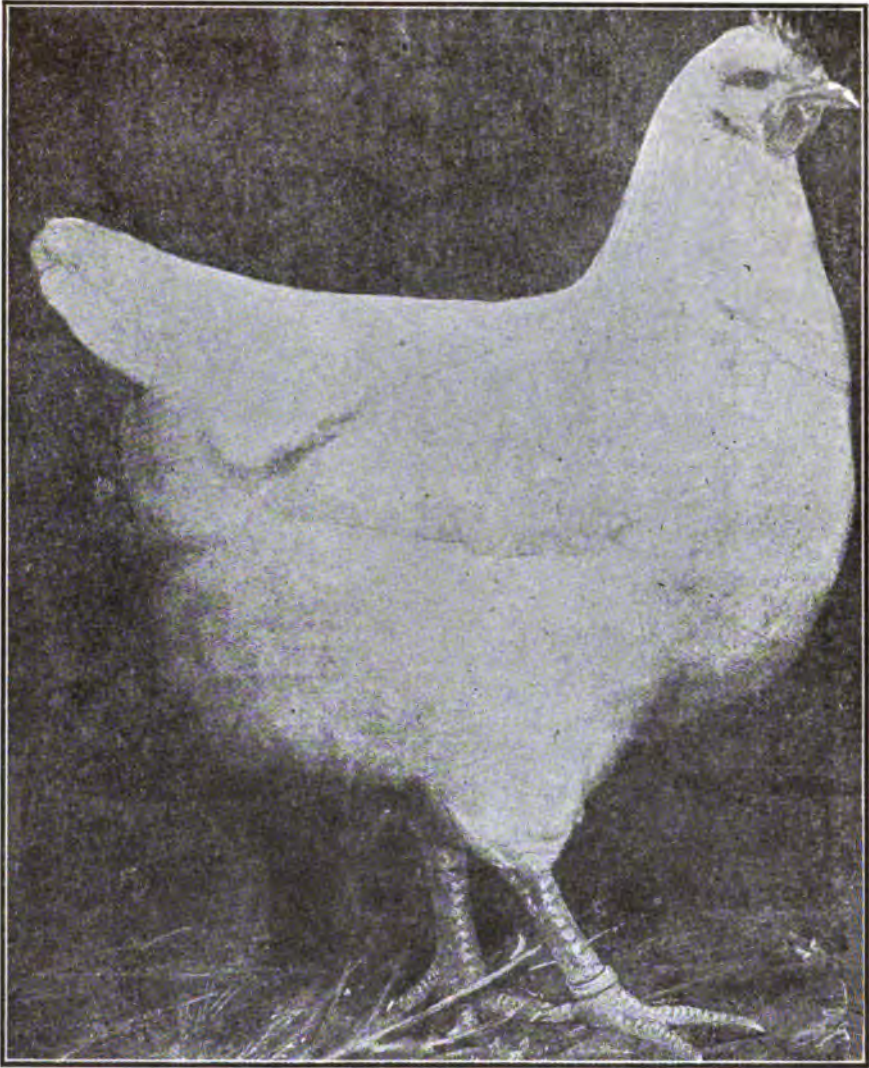
SWAT THE ROOSTER.

He is an absolutely useless fowl after the hatching season and, more than that, he hinders egg production.

Don't waste high priced feed on an old rooster just to hear his crow. Use business efficiency. Swat the rooster, save the feed.



SWAT THE ROOSTER.



CANDLE HER EGGS.

Gather your eggs twice a day, candle them, and market them twice a week. You don't have to candle eggs after the rooster is swatted.

STATE ANALYST'S REPORT

July 1, 1917.

Hon. Fred L. Woodworth, State Dairy and Food Commissioner, Lansing, Michigan:

Dear Sir—In accordance with Act 193 of the Public Acts of 1895 I herewith beg to report on the work done in the Dairy and Food Department Laboratory during the fiscal year ending June 30th, 1917.

During this time there was analyzed in this laboratory 1,305 samples of food stuffs, 498 samples of drugs, 80 samples of beverages (from local option officials) and dozens of unofficial samples of milk, cream and the like submitted by individuals throughout the State. In addition to these the chemists of the Department have had time to attend as expert witnesses all of the cases instituted by the inspectors of the Department and those of the County officials.

FOODS.

Of the 1,305 food samples examined 341 were found to be adulterated, misbranded or illegal. Dairy products, vinegar and canned vegetables were the greatest offenders. During the fall of 1916 the writer with the assistance of Mr. R. E. Woodruff, inspector, made an investigation of all the vinegar factories in the State. As a result seven out of nine of the larger factories were found to be selling as cider vinegar a product which was not cider vinegar but was manipulated in various ways at the different factories. For instance, one factory was found to be using distilled vinegar, lime, sodium phosphate, phosphoric acid, potassium carbonate, glycerine and caramel coloring. Another was found to be using distilled vinegar, caramel coloring and boiled cider. As a result of these investigations some one-half million gallons of vinegar were seized. This vinegar was allowed to be used in pickling under the supervision of the department.

In the summary under canned vegetables you will note that 36 samples out of 117 were condemned. These were mostly canned tomatoes which were found to contain added water.

Among the new adulterations which appeared in Michigan for the first time during this year was canned beans. This product was found where in some instances the navy beans had been substituted in whole by Soy beans and in other instances by a varying percentage.

I also desire to call your attention to the last item mentioned in the summary, and that is water. Ten of the fifteen samples were condemned. These were bottled waters sold as a mineral water or as a spring water. An examination of the source of supply of these waters revealed the fact that they were being pumped from shallow wells from thirteen to twenty-three feet deep, and were subject to sewer contamination.

I will not comment further on these samples as the condemned samples are given in detail following the summary.

DRUGS.

The drug department has been somewhat handicapped on account of shortage of help. From July until September we were without a Drug Analyst and the writer analyzed all the samples sent in by the drug inspectors. From September until July, Mr. Frank Casey, recent graduate of the University of Michigan, acted as Drug Analyst. He has recently resigned to enlist in the Gas and Flame Regiment of the army.

During this year there was a total of 498 drug samples analyzed, of which 177 or thirty-five per cent was found not to comply with the requirements of the drug law.

I desire to call your attention to the great variety of drug samples taken up. Over one hundred separate pharmaceuticals are included in the summary. As usual, the common products such as Acteyl Salicylic Acid (chemical name for Aspirin), Camphor, Nitre and Iodine were the greatest offenders.

The Drug Department secured several convictions of violators of the drug law during this year.

Very truly yours,
A. R. TODD,
State Analyst.

SUMMARY.

Article.	Total.	Not found adulterated, misbranded or illegal.	Found adulterated, misbranded or illegal.
Apples.....	1	0	1
Apple Cider.....	1	1	0
Baking Powder.....	1	0	1
Beans.....	2	2	0
Beverages.....	11	8	3
Bolled Ham.....	1	1	0
Bread Improver.....	2	0	2
Buckwheat flour.....	8	6	2
Butter.....	312	288	24
Butter (process).....	1	1	0
Buttermilk.....	1	1	0
Candy.....	5	5	0
Canned fish.....	6	4	2
Canned fruit.....	23	20	3
Canned vegetables.....	117	81	36
Coffee.....	1	0	1
Cornstarch.....	1	1	0
Cheese.....	1	1	0
Cranberries.....	1	0	1
Cream.....	78	72	6
Cream tartar.....	5	4	1
Eggs and egg yolks.....	5	1	4
Egg yolks and whites (frozen).....	2	1	1
Evaporated milk.....	15	12	3
Extracts.....	5	4	1
Fish.....	1	0	1
Flavoring preparations.....	8	6	2
Flour.....	11	8	3
Ginger.....	1	1	0
Hamburg steak.....	6	2	4

SUMMARY.—*Concluded.*

Article.	Total.	Not found adulterated, misbranded or illegal.	Found adulterated, misbranded or illegal.
Horseradish	7	6	1
Ice cream	56	48	8
Jams and jellies	5	2	3
Lard and lard compounds	39	30	9
Lima beans	2	2	0
Linseed oil	12	9	3
Maple syrup	4	3	1
Marmalade	1	1	0
Milk	139	101	38
Meat	17	16	1
Minced meat	1	0	1
Mustard	2	1	1
Oleomargarine	14	4	10
Olives	6	0	6
Olive oil	4	3	1
Oysters	6	2	4
Pancake flour	2	2	0
Peanut butter	5	2	3
Peas	1	1	0
Pepper	3	1	2
Potted meat	1	1	0
Preserves	2	0	2
Preservatives	2	1	1
Raisins	1	0	1
Salad dressing	1	0	1
Salad oil	1	1	0
Sal soda	1	0	1
Sardines	1	1	0
Sausage	32	19	13
Soft drinks	100	89	11
Soup	1	0	1
Starch	4	0	4
Sugar and sugar cakes	2	1	1
Sweet chocolate	1	0	1
Syrups	19	7	12
Tomatoes	1	0	1
Turpentine	9	8	1
Vinegar	152	66	86
Water	15	5	10
Total	1,305	964	341

ANALYSES OF SAMPLES.

APPLES.

No. 39142, I-680. One bbl. No. 1 spy apples sold by Paul Dennert, Hart, Mich., and procured from Theurer & Walker, Ann Arbor. This barrel of apples was faced in that the shown surface gave a false representation of the contents thereof. Producer's name not stamped on package.

BAKING POWDER.

No. 40317, W-6. Sample of baking powder manufactured by H. G. Zimmerman & Co., Chicago and procured from Henry Swen, Ashton. Net weight not stated.

BEVERAGES.

No. 39568, V-109. Sample of Grape Julep (Clixo) manufactured by the Cleveland Fruit Juice Co., Cleveland, Ohio, and procured from Crowley Milner & Co., Detroit. Product not licensed. Illegal sale.

BEVERAGES.

No. 40275, D-4. Sample of Apple Cider. Contains about 40% added water.

No. 40423. Unofficial sample of Sweet Cider. Found to contain coal tar dye and 5.9% of alcohol. Sample is not sweet cider.

BREAD IMPROVER.

No. 38610, F-402. Sample of Bread Improver manufactured by the Ho-Mayde Products Co., Detroit, and procured from the Cronin Co., Al-pena. Sample contains statements on label which are false and misleading.

No. 38857, L-147. Sample of Bread Improver manufactured by the Ho-Mayde Products Co., Detroit, and procured from F. S. Pierce, Beav-erton. Sample contains statements on label which are false and mislead-ing.

BUTTER.

No. 38763, G-1362. Sample of butter manufactured by the Friedman Mfg. Co., Chicago, Ill., and procured from Friend & Peterson, Iron River. Sample was what is called packing stock. Not only short weight but misbranded.

No. 38858, L-148. Sample of butter manufactured by the Gladwin Butter Company, Gladwin, and procured from R. C. Robbins, Gladwin. Below standard in butter fat.

No. 38886. Unofficial sample of butter. Sample is a mixture of but-ter fat and beef tallow.

No. 38965. Unofficial sample of butter. Sample is oleomargarine.

No. 38981, J-82. Sample of butter manufactured by the Gladwin But-

ter Co., Gladwin, and procured from J. M. Smith, Gladwin. Below standard in butter fat.

No. 39286, L-167. Sample of renovated butter procured from Veague's Hotel, Saginaw. Product is renovated butter. No sign posted.

No. 39402. Unofficial sample of "butter." Sample is oleomargarine.

No. 39438, G-1311. Sample of creamery butter put up by the Hutchinson Produce Company, Hutchinson, Minn., and sold by the Lake Superior Produce Co., Houghton. Sample is short weight.

No. 39592. Unofficial sample of butter. Consists in whole or in part of renovated butter.

No. 39683. Unofficial sample of butter. Not a pure butter.

No. 39860, L-211. Sample of butter manufactured by Mrs. George Waite, Cheboygan. Sample is Oleomargarine.

No. 40176. Unofficial sample of butter. Sample is Oleomargarine.

No. 40124, E-231. Sample of butter sold by J. Earl Pate, 596 Dix Ave., Detroit. Sample is Oleomargarine artificially colored.

No. 40268, G-1434. Sample of butter manufactured by Armour & Co., Chicago, and procured from Jno. K. Jacobson, Newberry. Sample is short weight.

No. 40271, G-1437. Sample of butter manufactured by the Rhinelander Creamery Products Co., Rhinelander, Wis., and procured from Papka Bros., Newberry. Sample is short weight.

No. 40318, E-251. Sample of butter manufactured by Clarence Stull, 1297 Kercheval Ave., Detroit. Sample is Oleomargarine artificially colored.

No. 40335, I-712. Sample of creamery butter manufactured by the Ann Arbor Creamery Co. and procured from W. J. Draper, Ann Arbor. Sample is short weight.

No. 40357, E-264 & 264a. Two samples of butter obtained from Fred Roulo, 1750 Michigan Ave., Detroit. Samples are oleomargarine artificially colored.

No. 40359, E-265. Sample of butter procured from James McCabe, 819 Michigan Avenue, Detroit. Sample is Oleomargarine artificially colored.

No. 40360, D-5. Sample of butter procured from James McCabe, 819 Michigan Ave., Detroit. Sample is Oleomargarine, artificially colored.

No. 40361, D-6. Sample of butter procured from William H. Higgins, 926 Grand River Ave., Detroit. Sample is Oleomargarine, artificially colored.

No. 40363, E-272. Sample of butter obtained from the Kroger Grocery and Baking Co., 138 Calumet Ave., Detroit. Sample is short weight.

No. 40368, D-8. Sample of butter obtained from the Kroger Grocery and Baking Co., 714 Trumbull Ave., Detroit. Sample is short weight.

CANNED FISH.

No. 39887. Unofficial sample of sardines. Found to be unfit for human food.

No. 40226, Y-32. Sample of American Sardines sold by Carrol Windiate, 418 Crapo Blk., Bay City. Unfit for food purposes.

CANNED FRUIT.

No. 38996. Unofficial sample of canned peaches, Fremont Brand. Contains an excessive amount of liquid portion.

No. 39003. Unofficial sample of Yosemite canned peaches. Contains an excessive amount of liquid portion. Manufacturer's name and address not on package.

No. 39004. Unofficial sample of Williamston canned peaches. Contains an excessive amount of liquid portion.

CANNED VEGETABLES.

No. 38551, L-133. Sample of pork and beans put up by Hart Bros., Saginaw. Defective beans 19.2%. Consists in part of a decomposed vegetable substance.

No. 38602, R-108. Sample of Hobby Peas sold by D. O. Wiley, 22 Woodbridge St., Detroit. Net weight not stated on package. Misbranded.

No. 38647, L-134. Sample of pork and beans put up by Hart Bros., Saginaw. Anthracnose beans 11.2%. Consists in part of a decomposed vegetable substance.

No. 38648, L-135. Sample of pork and beans put up by Hart Bros., Saginaw. Anthracnose beans 12%. Consists in part of a decomposed vegetable substance.

No. 38806, G-1270. Sample of tomatoes packed for the Peninsula Wholesale Grocery, Houghton, and procured from John J. Ruelle, Houghton. Net weight not stated. Misbranded.

No. 38984, L-154. Sample of canned tomatoes put up by the Owosso Canning Company, Owosso, and sold by Lee & Cady, Saginaw. Contains as excessive amount of liquid portion.

No. 38996. Unofficial sample of Fall River Peas. Contains an excessive amount of liquid.

No. 39003. Unofficial sample of Maryland Special Tomatoes. Contains an excessive amount of liquid portion.

No. 39108, G-1286. Sample of Roland brand canned tomatoes manufactured by J. Roland Stewart, Cambridge, Md., and sold by E. M. Lieblin, Calumet. Short weight and contains an excessive amount of liquid portion.

No. 39111, G-1283. Sample of Scotland Brand Tomatoes manufactured by T. A. Ridgell, Scotland, Md., and sold by E. R. Godfrey & Son, Hancock. Short weight and contains an excessive amount of liquid portion.

No. 39229. Unofficial sample of Honey Brand Early June Peas. Misbranded for the reason that they are not early June peas.

No. 39255, G-1296. Sample of California Brand canned tomatoes, manufactured by the Coast Products Co., St. Louis, Mo., and procured from the Peoples Store, Manistique. Short weight and contains an excessive amount of liquid portion.

No. 39260. Unofficial sample of Union League Peas. Sample sour, unfit for food purposes.

No. 39378, L-176. Sample of canned tomatoes put up by Hart Bros., Saginaw, and procured from W. H. Meader, Saginaw. Contains an excessive amount of liquid portion.

No. 39391, E-188. Sample of canned tomatoes put up by the Hart-

love Packing Company, Baltimore, Md. Contains about 15% added water.

No. 39416, E-195. Sample of canned tomatoes packed by Frank Wright, Federalsburg, Md., and sold by Thos. Roberts & Co., Philadelphia, Pa., and procured from the National Grocer Co., Jackson. Contains about 20% added water.

No. 39417, E-196. Sample of canned tomatoes put up by the Vienna Canning Co., Vienna, Ind., and procured from the National Grocer Co., Jackson. Product contains an excessive amount of liquid portion.

No. 39441, L-184. Sample of canned tomatoes put up by the Monroe Canning & Packing Company, Monroe, and sold by Harnet & Hewitt, Toledo, Ohio. Contains an excessive amount of liquid portion.

No. 39444, L-187. Sample of canned tomatoes put up by L. O. Towles, Merry Point, Vt., and sold by the Worden Grocery Co., Grand Rapids. Contains about 20% added water.

No. 39457, I-686. Sample of canned tomatoes put up by the Royal Packing Co., Windfall, Ind., and sold by Northrup, Robertson & Carrier Company, Lansing. Contains 15% added water.

No. 39482, G-1319. Sample of canned tomatoes put up by W. E. Robinson & Co., Belair, Md., and sold by E. M. Lieblin, Hancock. Sample is 1½ oz. short weight.

No. 39524, G-1321. Sample of canned tomatoes put up by the Phillips Packing Co., Cambridge, Md., and sold by Steele, Weedles Co., Chicago. Contains about 15% added water.

No. 39531, G-1328. Sample of canned tomatoes put up by the D. Di-Fiore Canning Co., San Jose, Cali., and sold by M. C. Broughton, Marinette, Wis., and procured from A. St. Arnauld & Son, Iron Mountain. Sample is short weight and contains added water.

No. 39535, G-1332. Sample of canned tomatoes put up by Webster Butterfield Co., Baltimore, Md., and sold by Brauns & Van, Iron Mountain. Contains added water.

No. 39589, I-691. Sample of canned tomatoes put up by T. R. Jones Bros., Quantico, Md., and procured from M. E. Newman, Pontiac. Sample is short weight.

No. 39857, G-1390. Sample of Tomatoes manufactured by J. Langrall Bros., Baltimore, Md., and procured from L. Menacher, Menominee. Contains an excessive amount of liquid portion.

No. 39859, G-1391. Sample of Tomatoes manufactured by Ikenberry Bros., Daleville, Va., and procured from Jos. Kuber, Menominee. Net weight not stated.

No. 39924, V-113. Sample of Our Leader Brand Beans, manufactured by D. E. Foote & Co., Baltimore, Md. Examination shows same to consist entirely of Soy beans and the sauce to contain a small amount of tomato, some starch and spices.

No. 39933, E-222. Sample of Sweet Red Peppers manufactured by Hijos de Pablo Vilalta, Lerida, Spain, and obtained from the Maclaren Imperial Cheese Co., 125 West Congress St., Detroit. Sample decomposed in whole or in part.

No. 40015, G-1406. Sample of Tomatoes manufactured by Pratt & Phillips, Salisbury, Md., and sold by Leat Bros., Republic. Net weight not stated on can.

No. 40018, G-1408. Sample of Prize Crop Brand Tomatoes manufac-

STATE OF MICHIGAN.

tured by J. C. Kirwin Co., Baltimore, Md., and procured from Jno. Ollila, Negaunee. Sample is short weight.

No. 40265, I-705. Sample of Alice Brand pork and beans canned by the Dyer Packing Co., Vincennes, Ind., and procured from Pringnity & Ameel, Mt. Clemens. Sample is labeled Soy & Navy Beans. Analysis show no Navy Beans present. Sample is misbranded.

No. 40324, I-708. Sample of Alice Brand Pork and Beans, canned by the Dyer Packing Co., Vincennes, Ind., and procured from Pringnity & Ameel, Mt. Clemens. No. Navy Beans present. Sample is misbranded.

No. 40348, E-255. Sample of red beans canned by the Ladoga Canning Co., Ladoga, Ind., and procured from S. Grones Co., 8-10 Market St., Detroit. Sample consists in whole or in part of a decomposed vegetable matter.

No. 40352, E-259. Sample of Red Kidney Beans canned by the W. C. Pressing Canning Co., Norwalk, Ohio, and procured from the S. Grones Co., 8-10 Market St., Detroit. Sample is short weight.

No. 40396, D-9. Sample of Spring Hill brand Navy and Soja Beans. Contains approximately $\frac{2}{3}$ Soy, $\frac{1}{3}$ Navy beans. Misbranded for the reason that inasmuch as they are labeled Navy and Soja, Navy Beans should predominate.

COFFEE.

No. 40337, G-1439. Sample of Coffee manufactured by the Nasiacos Importing Co., Chicago, Ill., and procured from Pappas Bros., Sault Ste. Marie. Net contents not declared on label.

CRANBERRIES.

No. 39399, E-190. Five quarts cranberries procured from Chas. Robson, Lansing. Short measure.

CREAM.

No. 38614, Q-1039. Sample of cream sold by R. Debusschere, 338 Kerwin St., Detroit. Butter fat 14%. Low in butter fat.

No. 39386. Unofficial sample of cream. Below standard in butter fat.

No. 39773. Unofficial sample of cream which tested but 15% butter fat. Below standard.

No. 40161, G-1422. Sample of cream procured from Adolph Johnson, Stephenson. Below standard in butter fat.

No. 40162, G-1423. Sample of cream procured from Albin Swanson, Stephenson. Below standard in butter fat.

No. 40341. Unofficial sample of cream. Below standard in butter fat.

CREAM TARTAR.

No. 39458, I-687. Sample of cream tartar put up by the Frank Tea and Spice Company, Cincinnati, Ohio, and procured from Phillips & Huber, Jackson. Net weight not stated. Misbranded.

EGGS AND EGG YOLKS.

No. 38940, R-135. Sample of Frozen Egg Yolks procured from the Detroit, Toledo & Ironton Railroad, Detroit. Consists partly or in whole of a decomposed animal substance. Not fit for food purposes.

No. 39247, R-153. Sample of Egg Yolks sold by John L. Layton Co., New York, and procured from the Saginaw Beef Co., Saginaw. Consist in whole or in part of a decomposed, putrid animal substance.

No. 39249, R-155. Sample of eggs sold by T. J. Midland, Ltd., Toronto, Ont., and procured from T. R. Seabury, 292 Grand River Ave., Detroit. Consists in whole or in part of a decomposed, putrid animal substance.

No. 39312, U-51. Sample of "Fresh Eggs" procured from I. L. Webb, Battle Creek. Not fresh eggs.

No. 39787, E-217. Sample of frozen egg yolks sold by John Layton, New York and procured from the General Cold Storage Co., Detroit. Consists in whole or in part of a decomposed animal product.

EVAPORATED MILK.

No. 39433, G-1306. Sample of evaporated milk put up by the Price Merchants Syndicate, Minneapolis, Minn., and procured from the Houghton Pure Food Co., Houghton. Label does not state how same is to be diluted to equal whole milk. Misbranded.

No. 39643, G-1339. Sample of evaporated milk packed by E. R. Godfrey & Sons Co., Milwaukee, Wis., and procured from L. Kangas & Co., South Range. Sample is below standard in total solids.

No. 39811. Unofficial sample of evaporated milk. Label does not state how much milk should be diluted to equal whole milk.

FISH.

No. 39512. Unofficial sample of fresh fish. Fish were found to contain products derived from chemical factories emptying products into river. Unfit for food purposes.

FLAVORING PREPARATIONS.

No. 38805, G-1269. Sample of lemon extract manufactured by Jewett & Sherman Co., Milwaukee, Wis., and procured from John W. Quanee, St. Ignace. Net contents not stated on the label. Misbranded.

No. 39005, G-1281. Sample of lemon extract manufactured by C. Soap Co., Tomahawk, Wis., and procured from A. Esparmer, Norway. Below standard in oil of lemon.

No. 40270, G-1436. Sample of Lemon Extract manufactured by the E. A. Lange Medical Co., DePere, Wis., and procured from A. Westin & Co., Newberry. Net contents not stated.

FLOUR.

No. 39275. Unofficial sample of buckwheat flour. Contains approximately 10% wheat flour.

No. 39387. Unofficial sample of buckwheat flour. Small amount of wheat starch present.

No. 39652, Y-18. Sample of Graham Flour manufactured by Wilson Bros., Rochester, N. Y., and sold by T. L. Baumgarten, Bay City. Sample is short weight.

No. 39713, Y-24. Sample of graham flour manufactured and sold by Broomfield & Colvin, Bay City. Sample is short weight.

No. 40014. Unofficial sample of buckwheat flour. Sample is not pure. Contains considerable wheat and a small amount of rye.

HAMBURG STEAK.

No. 38603, R-109. Sample of Hamburg steak manufactured and sold by the Detroit Market Company, 850 Fort St. East, Detroit. Product contains sulphurous acid or salts thereof.

No. 38924, I-676. Sample of Hamburg Steak manufactured and sold by F. W. Boston, Pontiac. Contains excessive cereal and sulphurous acid or salts thereof.

No. 38925, I-677. Sample of Hamburg Steak manufactured and sold by P. Legg, Pontiac. Contains sulphurous acid or salts thereof.

No. 39513, I-690. Sample of Hamburg Steak procured by Wm. F. Dolan, 47 N. Saginaw St., Pontiac. Product contains 10.03% added cereal and sulphurous acid or salts thereof.

HORSE RADISH.

No. 39443, L-186. Sample of Horse Radish sold by Berdan & Company, Toledo and procured from M. W. Welsh, Mt. Pleasant. Product is not pure horse radish.

ICE CREAM.

No. 38802, F-405. Sample of ice cream procured from A. Sanford, Grand Rapids. Butter fat 5.6%. Below standard in butter fat.

No. 39515, F-442. Sample of ice cream manufactured by the Timmer Ice Cream Co., Grand Rapids. Below standard in butter fat.

No. 39516, F-441. Sample of ice cream manufactured by the Timmer Ice Cream Co., of Grand Rapids, and procured from S. S. Kresge, Grand Rapids. Butter fat, 7.20%. Below standard in butter fat.

No. 39602, F-453. Sample of ice cream manufactured by the Timmer Ice Cream Co., Grand Rapids, and procured from Shroeder Drug Co., Grand Rapids. Butter fat, 8.8%. Below standard in butter fat.

No. 40100, F-485. Sample of ice cream manufactured by the Timmer Ice Cream Co., Grand Rapids, and procured from the Florida Fruit Co., Grand Rapids. Sample contains 7% butter fat. Below standard.

No. 40123. Unofficial sample of ice cream containing $8\frac{1}{4}\%$ butter fat. Below standard.

No. 40328, O-2. Sample of ice cream manufactured by the Timmer Ice Cream Co., 60 Market St. S. W., Grand Rapids, and procured from the Florida Fruit Co., 81 Market St. N. W., Grand Rapids. Sample contained 7.5% butter fat. Below standard in butter fat.

No. 40431, T-10. Sample of ice cream manufactured by the Timmer Ice Cream Co., Grand Rapids, and procured from Geo. Kraft & Co., Grand Rapids. Contains butter fat 7.5%. Below standard in butter fat.

JAM.

No. 29679, I-694. Sample of White House Brand Apple and Strawberry Jam manufactured by the Hay Mfg. Co., Detroit, and procured from R. J. Smith, E. Huron St., Ann Arbor. Label does not state net weight.

No. 38673, R-112. Sample of Iona Brand Jam sold by the Great Atlantic and Pacific Tea Company, Jersey City, N. J., and procured from the Atlantic & Pacific Tea Company, Detroit. Sample is artificially colored. Not salable.

No. 40132, G-1413. Sample of Tre-Vyn Brand Jam, manufactured by Best, Clymer Mfg. Co., St. Louis, Mo., distributed by Gowan Lennon Brown Co., Duluth, Minn., and procured from H. Davidson, Palmer, Marquette Co. Misbranded. Should be labeled "Imitation."

LARD.

No. 39242, G-1293. Sample of lard procured from N. F. Christensen, Masonville. Sample is lard compound. Package not stamped.

No. 39435, G-1308. Sample of lard sold by J. J. Ruelle, Houghton. Contains beef fat. Not pure lard.

No. 39436, G-1309. Sample of lard sold by C. Mills, Houghton. Contains beef fat. Not pure lard. Package not stamped.

No. 39453, E-205. Sample of lard manufactured and sold by A. Hughes, Jackson. Contains beef fat. Package not stamped.

No. 39456, I-685. Sample of lard manufactured and sold by J. J. O'Brien, Jackson. Contains beef fat. Package not stamped.

No. 39479, G-1317. Sample of lard procured from Patrick Brennan, L'Anse. Contains beef fat. Package not stamped.

No. 39665, I-693. Sample of lard manufactured and sold by Tom Nichols, 212 S. Mechanic St., Jackson. Package not stamped. Contains beef fat.

No. 40063. Unofficial sample of lard. Contains beef fat.

No. 40159, I-699. Sample of lard manufactured and sold by Davenport & Son, Jackson. Sample contains beef fat.

LINSEED OIL.

No. 39412. Unofficial sample of boiled linseed oil. Not a pure linseed oil. Contains about 45% mineral oil.

No. 39739, G-1365. Sample of boiled linseed oil manufactured by the Ohio State Linseed Co., Cleveland, Ohio, and procured from the Iron River Mercantile Co. Sample contains 35% mineral oil.

No. 39894, G-1396. Sample of boiled linseed oil manufactured by the Bagley Linseed Oil Co., Chicago, Ill. Not a pure oil. Contains 30% mineral oil.

MILK.

No. 38365, G-1298. Sample of milk sold by Gehart Wuebben, Hancock. Portion of the fat has been removed. Below standard in butter fat.

No. 38616, J-44. Sample of milk sold by J. S. Stowell, Dundee. Sample contains about 20% added water.

No. 38617, J-45. Sample of milk sold by Reuben Weatherby, Dundee. Sample low in butter fat and total solids. A low grade of milk.

No. 38618, J-46. Sample of milk sold by John Ratke, Dundee. Sample is low in total solids and ash. Contains 10% added water.

No. 38619, J-47. Sample of milk sold by Wm. Barr, Dundee. Sample low in total solids and ash. Contains about 10% added water.

No. 38620, J-48. Sample of milk sold by Wm. Straube, Dundee. Sample low in butter fat and total solids. A poor grade milk.

No. 38621, J-49. Sample of milk sold by J. C. Winters, Dundee. Sample high in specific gravity, low in total solids and fat. A part of the fat has been removed.

No. 38622, J-50. Sample of milk sold by Frank Martin, Dundee. Low in total solids and ash. Contains 16% added water.

No. 38623, J-51. Sample of milk sold by W. Miller, Dundee. Low in specific gravity, butter fat, total solids and ash. Contains 16% added water.

No. 38624, J-52. Sample of milk sold by Eaton Laskey, Dundee. Low in total solids and ash. Contains 15% added water.

No. 38625, J-53. Sample of milk sold by L. Robinson, Dundee. Low in specific gravity, total solids and ash. Contains about 19% added water.

No. 38626, J-54. Sample of milk sold by H. Kremier, Dundee. Low in specific gravity, total solids and ash. Contains 15% added water.

No. 38658, N-135. Sample of milk sold by Oscar Grey, Lake Odessa. Low in specific gravity and solids not fat.

No. 38725, U-40. Sample of milk sold by C. E. Brown, Battle Creek R. F. D. No. 3. Sample contains about 38% added water.

No. 38744, J-56. Sample of milk sold by Neil Dietz, Webberville. Below standard in specific gravity.

No. 38754, J-66. Sample of milk sold by B. M. Hart, Webberville. Below standard in specific gravity.

No. 38755, J-67. Sample of milk sold by B. Bell, Webberville. Below standard in total solids.

No. 38756, J-68. Sample of milk sold by L. C. Gardner, Webberville. Below standard in specific gravity and total solids. Contains about 10% added water.

No. 38757, J-69. Sample of milk sold by C. C. Stowe, Webberville. Below standard in specific gravity and total solids. Contains about 10% added water.

No. 38759, J-71. Sample of milk sold by Thos. McGuire, Webberville. Below standard in specific gravity and total solids.

No. 38762, J-74. Sample of milk sold by H. Risch, Webberville. Below standard in specific gravity and total solids. Contains about 10% added water.

No. 38763, J-75. Sample of milk sold by E. Mead, Webberville. Below standard in specific gravity and total solids. Contains 11% added water.

No. 38766, J-78. Sample of milk sold by O. Jacobs, Webberville. Below standard in specific gravity and total solids. Contains 11% added water.

No. 38768, J-80. Sample of milk sold by W. F. Potter, Webberville.

Below standard in specific gravity and total solids. Contains 12% added water.

No. 38769, J-81. Sample of milk sold by G. Grindling, Webberville. Below standard in specific gravity and total solids. Contains 9% added water.

No. 38872, X-49. Sample of milk sold by C. O. Myers, Adrian, R. F. D. Contains an excessive amount of sediment.

No. 38880, X-57. Sample of milk sold by S. W. Hunt, Adrian. Contains an excessive amount of sediment.

No. 33881, X-58. Sample of milk sold by Edna Garson, Adrian, R. F. D. Contains 17.0% added water.

No. 38926, X-60. Sample of milk sold by Russell Pepher, Dowagiac. Below standard in specific gravity, total solids and solids not fat. Contains about 25% added water.

No. 38927, X-61. Sample of milk sold by Russell Pepher, Dowagiac. Below standard in specific gravity, total solids and solids not fat. Contains about 20% added water.

No. 39139, N-138. Sample of milk sold by Claude Johnson, Clifford. Contains about 28% added water.

No. 39472, N-142. Sample of milk sold by Harry E. Payne, Byron, Lake Linden. Contains added water.

No. 39570, G-1333. Sample of milk procured from James Roberts, Ishpeming. Below standard in specific gravity and total solids. Contains about 10% added water.

No. 39916, J-84. Sample of milk produced and sold by Richard Richardson, Onondaga. Contains 20% added water.

No. 39997. Unofficial sample of milk containing 25% added water.

No. 40163, G-1424. Sample of milk produced and sold by John Blomquist, Stephenson. Butter fat 2.65%. A part of the butter fat has been removed.

No. 40420, T-9. Sample of milk procured from Kontos-Morris (Detroit Lunch), Lansing. Contains 1.8% butter fat. Below standard.

No. 40425. Unofficial sample of milk below standard in butter fat.

MINCE MEAT.

No. 39508, E-212. Sample of mince meat manufactured and sold by the Edwin Fallas Canning Company, of Lowell. Misbranded in that the net weight is not stated.

MUSTARD.

No. 40180, N-4. Sample of Harbauer Brand Mustard manufactured by the Harbauer Co., Toledo, Ohio, distributed by the Worden Grocery Co., Kalamazoo and procured from A. R. Gilmore, Schoolcraft. Sample is short weight.

OLEOMARGARINE.

No. 39079, I-683. Sample of Dixie Brand Oleomargarine put up by Wm. Moxley, Chicago, and procured from A. Hughes, Jackson. Net weight claimed two pounds. Net weight found 1 lb, 14 9/16 oz. Short weight.

No. 39599, E-214. Sample of Oleomargarine sold by Ward Lockwood, Gratiot Central Market, Detroit. No sign displayed. Illegal sale.

No. 39775, I-695. Sample of Oleomargarine manufactured by Swift & Co., Chicago, Ill., and sold by the Cornwell Beef Co., Jackson. Sample is short weight.

No. 40169, E-239. Sample of Swift's Oleomargarine procured from the Detroit Tea & Butter Co., Shop 1, Broadway Market, Detroit. No sign displayed. Illegal sale.

No. 40216, E-246. Sample of Oleomargarine obtained from the Kroger Grocery & Baking Co., 693 Kercheval Ave., Detroit. Illegal sale. No sign displayed.

No. 40219, E-249. Sample of Oleomargarine procured from T. M. Faust (White Front Butter & Egg Co.) 238 Michigan Ave., Detroit. Sample is Oleomargarine artificially colored. Illegal sale.

No. 40220, D-1. Sample of Oleomargarine procured from the Kroger Grocery & Baking Co., 693 Kercheval Ave., Detroit. Illegal sale. No sign displayed.

No. 40297, G-1438. Sample of Coconut Brand Oleomargarine manufactured by the Nucoa Butter Co., Soho Park, New Jersey, and procured from the Central Grocery Co., Sault Ste. Marie. Misbranded.

No. 40406, E-277. Sample of Oleomargarine procured from Alexander Cameron and Floyd Tinney, 532 Dix Ave., Detroit. Product is colored oleomargarine.

No. 40407, E-278. Sample of Oleomargarine procured from Andrew J. Connelly, 286 Holden Ave., Detroit. Product is colored oleomargarine.

OLIVES.

No. 38630, R-111. One pint olives sold by Nicholas Cosentino, 328 Russell St., Detroit. Consists in whole or in part of a decomposed vegetable substance.

No. 38688, R-118. One pint olives sold by Nicholas Cosentino, 328 Russell St., Detroit, and procured from Tony Sanclement, 289 Division St., Detroit. Consists in whole or in part of a decomposed vegetable substance.

No. 38717, R-119. One pint olives sold by Curro & Marchi, 378 E. High St., Detroit. Consists in whole or in part of a decomposed vegetable substance.

No. 38933, R-133. Sample of olives sold by Joseph Petrocella, 471 W. Broadway, New York, and procured from Graziami Serra, 210 E. Fort St., Detroit. Consists in part or in whole of a decomposed, wormy and worm eaten vegetable substance.

No. 40128, W-1. Sample of Peek-A-Boo Brand Stuffed Olives packed by the Wm. Edwards Co., Cleveland, Ohio. Statement of net weight not legible.

No. 40316, W-5. Sample of Selected Spanish Olives packed by Alart & McGuire, New York City and procured from L. B. Burtch & Co., Brutus. Net weight not stated.

OLIVE OIL.

No. 38718, L-139. Sample of olive oil sold by the Lungo Fruit Company, Detroit, and procured from John McLouff, Harbor Beach. Net contents not stated on package. Misbranded.

OYSTERS.

No. 39241, I-682. One pint oysters procured from A. Fisch, Water St., Port Huron. Contains added water.

No. 39318, U-53. Sample of oysters procured from R. Binder & Co., Battle Creek, Mich. Contains an excessive amount of liquid portion.

No. 39477, G-1314. Sample of oysters procured from W. E. Jilbert, Lake Linden. Contains added water.

No. 39501, Y-2. Gallon can of oysters put up by G. P. Paterson & Co., Baltimore, Md., and procured from the Kessler Produce Co., Bay City. Contains an excessive amount of liquid portion.

PEANUT BUTTER.

No. 38883, G-1273. Sample of Peanut Butter put up by A. J. Drouin, Hancock, and procured from N. Lepisto & Co., Hancock. Misbranded. No manufacturer's name and address. No net weight stated.

No. 39588, V-110. Sample of peanut butter put up by Perkins Bros., Bay City. Product contains a quantity of sand. Unfit for food purposes.

No. 39675, E-216. Sample of peanut butter put up by Perkins Bros., Bay City. Contains sand. Unfit for food purposes.

PEPPER.

No. 38720, L-141. Sample of black pepper put up by the F. Widlar Co., Cleveland, and procured from Jacob Tscherhart, Ruth. Net contents not stated. Misbranded.

No. 39382, L-179. Sample of pepper put up for Symons Bros., Saginaw. Contains an excessive amount of ash.

PRESERVES.

No. 40147, G-1416. Sample of Eloise Brand Strawberry Preserves, produced by Franklin MacVeagh & Co., Chicago, and procured from S. W. Brennan, Escanaba. Not properly labeled.

No. 40183, G-1426. Sample of Priscilla Brand Preserves produced by Franklin MacVeagh, Chicago and procured from the Scandia Co-operative Co., Escanaba. Not properly labeled.

PRESERVATIVE.

No. 38851. Unofficial sample of preservative. Not permitted in Michigan.

RAISINS.

No. 39003. Unofficial sample of Griffin's Seedless Raisins. Very wormy. Unfit for food.

SALAD DRESSING.

No. 40315, W-4. Sample of Peerless Brand Salad Dressing sold by the Judson Grocer Co., Grand Rapids, and procured from L. B. Burtch & Co., Brutus. Net weight not stated.

SAL SODA.

No. 39437, G-1310. Sample of sal soda put up by the Detroit Soda Products Company, Detroit, and sold by the Peninsula Wholesale Grocery Co., Houghton. Sample is short weight.

SAUSAGE.

No. 38609, F-401. Sample of sausage manufactured and sold by Alex. Elowski, Alpena. Cereal present. Package or product not marked or stamped to indicate the presence of cereal.

No. 38639, G-1266. Sample of sausage sold by Hankin & Osser, Munising. Cereal present. Package or product not marked or stamped to indicate the presence of cereal.

No. 38803, E-112. Sample of sausage manufactured and sold by the Bazley Market, Lansing. Cereal present. Package or product not marked or stamped to indicate the presence of cereal.

No. 38856, I-674. Sample of bologna sausage manufactured and sold by H. M. Fierstine, Memphis. Excessive cereal present. Package or product not marked or stamped.

No. 39207, U-47. Sample of pork sausage procured from State Street Market, 11 W. State St., Battle Creek. Cereal 3.14%. Package not stamped to indicate presence of cereal.

No. 39254, G-1295. Sample of bologna sausage procured from Lake Side Grocery, Manistique. Contains an excessive amount of cereal.

No. 39478, G-1315. Sample of camp sausage manufactured and sold by Emery Welsh, L'Anse. Cereal 2.48%. Package or product not marked or stamped to indicate the presence of cereal.

No. 39480, G-1316. Sample of bologna sausage manufactured and sold by Emery Welsh, L'Anse. Cereal 0.95%. Package or product not marked or stamped to indicate the presence of cereal.

No. 39532, G-1329. Sample of pork sausage procured from Mitchel & Jenkin, Iron Mountain. Cereal 3.38%. Product contains excessive cereal.

No. 39594, F-449. Sample of sausage manufactured by John Anderson, Muskegon and procured from Ammond & Son, Muskegon. Cereal 4.22%. Contains an excessive amount of cereal. Not stamped.

No. 39653, F-456. Sample of sausage procured from Cappel & DeBoer, Grand Rapids. Product contains cereal. Package not stamped.

No. 39689, I-679. Sample of bologna sausage procured from Baker & Son, 106 N. Elm Ave., Jackson. Cereal present. Package or product not marked or stamped to indicate presence of cereal.

No. 39923, L-218. Sample of sausage manufactured and sold by W. R. Brewer, St. Louis. Contains cereal. Not stamped.

No. 40272, I-707. Sample of Bologna Sausage manufactured and sold by Otto Pringnitz, 74 N. Gratiot Ave., Mt. Clemens. Package not stamped to show presence of cereal.

SMOKED FISH.

No. 39898, E-220. Sample of Smoked Ciscoes, sold by H. Lenzer, Napoleon St., Detroit. Artificially colored.

No. 39899, E-221. Sample of Smoked Ciscoes, packed by Sol. Lenzer, 328 Broadway, Buffalo, N. Y., and sold by H. Lenzer, Napoleon St., De-

troit. Consists in whole or in part of a decomposed animal substance. Artificial color present.

SOFT DRINKS.

No. 38611, O-4. Sample of Black Pop manufactured by McBride, Earl & Pollard, Detroit. Sugar 6.9%. Artificially colored and flavored. No label on bottle or cap to indicate artificial color and flavor. Low in sugar.

No. 38613, O-6. Sample of Strawberry Pop manufactured by McBride, Earl & Pollard, Detroit. Sugar 6.7%. No label on bottle or cap to indicate artificial color or flavor. Low in sugar.

No. 38781, O-7. Sample of pop manufactured by McBride, Earl & Pollard, Detroit, and procured from M. Gardella, 27 Woodward Ave., Detroit. Caramel present. Low in sugar and misbranded in that artificial color is not stated on the label.

No. 38791, O-8. Sample of Strawberry Pop manufactured by Raskin Bros., Detroit, and procured from James Ernest, Detroit. Low in sugar and misbranded in that the artificial color present is not stated on the label.

No. 38824, O-10. Sample of strawberry pop manufactured by K. A. Ruena, Ishpeming. Coal tar color present. Not labeled to show the presence of artificial color.

No. 38834, O-12. Sample of Strawberry Soda Water manufactured by the Mass Bottling Works, Mass. Artificially colored and flavored. Not so labeled.

No. 38835, O-13. Sample of Raspberry Syrup manufactured by the Union Cider Co., Marinette, Wis. Artificially colored and flavored. Not a true raspberry syrup.

No. 38840, O-14. Sample of Strawberry Soda Water manufactured by the Wakefield Bottling Works, Wakefield, Mich. Artificially colored and flavored. Not so labeled.

No. 39731, G-1353. Sample of soft drink manufactured and sold by Roger Jackson, Crystal Falls. Sample is artificially colored. Not so labeled.

No. 39848, G-1384. Sample of Grape Cheer manufactured by Franklin MacVeagh, of Chicago, and sold by Pelnar's Grocery, Menominee. Illegal sale for the reason that product is not licensed.

No. 40021, G-1411. Sample of soft drink manufactured by Anheuser Busch Brewing Co., St. Louis, and sold by Jno. Manning, Negaunee. Illegal sale as license has not been paid.

SOUP.

No. 40138, W-3. Sample of soup produced by the J. F. Polk Co., Greenwood, Ind. Net weight not stated.

STARCH.

No. 29726, G-1348. Sample of Argo Gloss Starch manufactured by the Corn Products Refining Co., and procured from the Crystal Falls Co-operative Co., Crystal Falls. Sample is short weight.

No. 38996. Unofficial sample of Silver Gloss Starch. Sample $1\frac{3}{4}$ oz. short on pound.

No. 39195, R-147. Sample of Argo Starch put up by the Corn Products Refining Co., New York, and procured from S. Grones, Detroit. Amount short on package 1 5/16 oz.

No. 39727, G-1349. Sample of Lily Gloss Starch manufactured by the Corn Products Refining Co., N. Y., and procured from the Crystal Falls Cooperative Co., Crystal Falls. Sample is short weight.

SUGAR CAKES.

No. 39922, L-217. Sample of sugar cakes manufactured by the Schust Baking Co., and sold by Curns & Gray, St. Louis. Sold in imitation of Maple sugar. Should be so labeled.

SWEET CHOCOLATE.

No. 40333, N-6. Sample of Sweet Chocolate manufactured by Runkle Bros., New York, and procured from Lamb & Spencer, Charlotte. Sample is short weight.

SYRUPS.

No. 38674, R-113. Sample of De-Fi Syrup sold by the Great Atlantic & Pacific Tea Company, Jersey City, N. J., and procured from the Atlantic & Pacific Tea Co., Detroit. A blend of cane and maple sugars. Percentage of ingredients not stated. Not properly labeled.

No. 38732, R-123. Sample of B. & O. Table Syrup sold by the Great Atlantic & Pacific Tea Company, Jersey City, N. J., and procured from the Atlantic & Pacific Tea Co., Detroit. Percentage of ingredients not stated. Misbranded.

No. 38733, R-125. Sample of A. & P. brand Compound Table Syrup sold by the Great Atlantic & Pacific Tea Co., Jersey City, N. J., and procured from the Atlantic & Pacific Tea Co., Detroit. Percentage of ingredients not stated. Misbranded.

No. 39738, G-1364. Sample of Consumer Brand of Syrup manufactured by Butler Bros., Chicago, Ill., and procured from Sam Luber, Iron River. Percentage of ingredients not stated.

No. 39803, G-1375. Sample of Eloise Brand of Table Syrup, manufactured by Franklin MacVeagh Co., Chicago, Ill., and procured from Vertin Bros. & Co., Calumet. Must be sold as a glucose mixture.

No. 39853. Unofficial sample of White Plum Syrup. Misbranded.

No. 39855, F-479. Sample of White Crystal Brand Corn Syrup manufactured by W. M. Hoyt Co., Chicago and procured from Naber Bros., Lake Odessa. Misbranded.

No. 39943, G-1399. Sample of My Wife Brand of Syrup, manufactured by Fred Fear & Co., 15 Jay St., New York, and procured from Ralph Mugnani, Hemlock. Misbranded.

No. 39971, F-479. Sample of Eloise Brand of syrup manufactured by Franklin MacVeagh & Co., Chicago, and procured from Chas. Lauster, Ionia. Sample is misbranded. Must be labeled glucose or corn syrup.

No. 40049, X-102. Sample of Maple Syrup manufactured by L. C. Baker, Adrian, and procured from Burne & Spies, Adrian. Net weight not stated.

No. 40266, G-1432. Sample of Maple Syrup, manufactured by Ed. Williams, Munising, and procured from Oliver A. Shampine, Munising. Sample contains an excessive amount of water.

No. 40339, G-1441. Sample Ivanhoe Brand Syrup manufactured by Franklin MacVeagh Co., Chicago, and procured from Thompson & Washburn, Brimley. Misbranded.

TOMATOES.

No. 38793, U-43. Three baskets tomatoes packed by Friday Bros., Coloma, and procured from the Michigan Fruit Co., Battle Creek. Baskets were faced in violation of Act No. 207, P. A. 1913.

TURPENTINE.

No. 39428, G-1301. Sample of turpentine manufactured by Geo. R. Jenkins & Co., Chicago, and procured from I. E. Swift & Co., Houghton. Contains 17.6% mineral oil. Not a pure turpentine.

VINEGAR.

No. 29574. Unofficial sample of vinegar. Low in acidity.

No. 38668, L-137. Sample of vinegar manufactured by the Harbauer Co., Toledo, Ohio, and sold by Symons Bros., Saginaw. Not a pure cider vinegar. Made of dried apple waste products.

No. 38669, L-138. Sample of vinegar manufactured by the Harbauer Co., Toledo, Ohio, and sold by Lee & Cady, Saginaw. Not a pure cider vinegar. Made from dried apple stock or waste. Contains added mineral constituents.

No. 38730, U-41. Sample of vinegar, manufactured by the Kinney Cider Vinegar Company, Benton Harbor, and procured from the Pipe stone Grocery, Benton Harbor. Consists in whole or in part of dilute acetic acid or distilled vinegar.

No. 38794, E-109. Sample of vinegar manufactured by the Toledo Cider & Vinegar Co., Toledo, and sold by the National Grocer Co., Lansing. Not a pure cider vinegar. Consists in part or in whole of distilled vinegar and added drugs.

No. 38800, E-110. Sample of vinegar manufactured by the Allegan Cider & Vinegar Co., Allegan. Not a pure cider vinegar. Consists in whole or in part of waste vinegar. An imitation vinegar.

No. 38822, G-1272. Sample of Crescent brand cider vinegar manufactured by McNeil & Higgins Co., Chicago, Ill., and procured from the Finnish Workmen Assn., Republic. Not a pure cider vinegar. Low in total solids, non-sugar solids, etc. Contains added distilled vinegar or dilute acetic acid.

No. 38951, L-151. Sample of vinegar manufactured by the Harbauer Co., Toledo, Ohio, and sold by Tanner & Daily, Bay City. Made in whole or in part of dried apple waste.

No. 38952, L-152. Sample of vinegar manufactured by the Harbauer Co., Toledo, Ohio, and sold by Tanner & Daily, Bay City. Made in whole or in part of dried apple waste.

No. 38988, E-114. Sample of vinegar manufactured by Wm. W. Vaughan Co., Ypsilanti. Contains added drugs and distilled vinegar.

No. 38997, E-121. Sample of vinegar manufactured by the Williams Bros. Co., Detroit, and sold by Lee & Cady, Detroit. Not a pure apple cider vinegar but an imitation thereof. Manufactured in whole or in part from dried apple waste.

No. 38998, E-122. Sample of vinegar manufactured by the Williams Bros. Co., Detroit, and sold by Lee & Cady, Detroit. Not a pure cider vinegar but an imitation thereof. Manufactured in whole or in part of dried apple waste.

No. 39000, E-124. Sample of vinegar manufactured by the Chas. Uelsmann Co., Detroit. Not a pure cider vinegar. Contains added distilled vinegar.

No. 39001, E-125. Sample of vinegar manufactured by the Harbauer Co., Toledo, Ohio. High in total solids. Made from apple waste.

No. 39002, E-126. Sample of vinegar manufactured by Wm. W. Vaughan Co., Detroit. Contains added drugs and distilled vinegar.

No. 39031, E-127. Sample of vinegar manufactured by Williams Bros. Co., Detroit. Not a pure cider vinegar but an imitation thereof. Manufactured in whole or in part from dried apple waste.

No. 39032, E-128. Sample of vinegar manufactured by Williams Bros. Co., Detroit. Not a pure cider vinegar. Consists in whole or in part of dilute acetic acid or distilled vinegar.

No. 39035, E-131. Sample of vinegar manufactured by the Chas. Uelsmann Co., Detroit. Not a pure cider vinegar. Contains distilled vinegar.

No. 39049, E-133. Sample of vinegar manufactured by the Toledo Cider Vinegar Co., Owosso. Not a pure cider vinegar. Contains added substance. High in total solids and non-sugar solids.

No. 39057, E-135. Sample of vinegar manufactured by E. E. Emmons, St. Johns. Below standard in acidity.

No. 39096, E-136. Sample of vinegar manufactured by Kenney Cider & Vinegar Co., Benton Harbor. Below standard in total solids, non-sugar solids and acetic acid.

No. 39097, E-137. Sample of vinegar manufactured by Kenney Cider & Vinegar Co., Benton Harbor. Not a pure cider vinegar.

No. 39098, E-138. Sample of vinegar manufactured by Kenney Cider & Vinegar Co., Benton Harbor. Not a pure cider vinegar.

No. 39099, E-139. Sample of vinegar manufactured by Kenney Cider & Vinegar Co., Benton Harbor. Not a pure cider vinegar.

No. 39149, E-146. Sample of vinegar manufactured by Robinson Cider & Vinegar Co., Benton Harbor. Not a pure cider vinegar. Contains added distilled vinegar and is artificially colored.

No. 39150, E-141. Sample of vinegar manufactured by Robinson Cider & Vinegar Co., Benton Harbor. Not a pure cider vinegar. Contains added distilled vinegar and is artificially colored.

No. 39152, E-147. Sample of vinegar manufactured by Robinson Cider & Vinegar Co., Benton Harbor. Not a pure cider vinegar. Contains added distilled vinegar and is artificially colored.

No. 39159, E-156. Sample of vinegar manufactured by the Benton Fruit Products Co., Benton Harbor. Not a pure cider vinegar. Contains distilled vinegar.

No. 39160, E-149. Sample of vinegar manufactured by the Benton Fruit Products Co., Benton Harbor. Not a pure cider vinegar. Contains added phosphoric acid, distilled vinegar and boiled cider.

No. 39161, E-150. Sample of cider vinegar manufactured by the Benton Fruit Products Co., Benton Harbor. Not a pure cider vinegar. Contains distilled vinegar.

No. 39163, E-154. Sample of vinegar manufactured by the Benton

Fruit Products Co., Benton Harbor. Not a pure cider vinegar. Contains distilled vinegar.

No. 39165, E-158. Sample of vinegar manufactured by the Benton Fruit Products Co., Benton Harbor. Not a pure cider vinegar. Contains added distilled vinegar.

No. 39167, E-155. Sample of vinegar manufactured by the Benton Fruit Products Co., Benton Harbor. Not a pure cider vinegar. Contains distilled vinegar.

No. 39203, E-161. Sample of vinegar manufactured by the Harbauer Co., Toledo, Ohio, and sold by Lee & Cady, Detroit. Not a pure cider vinegar. Manufactured in whole or in part of dried apple waste.

No. 39208, L-162. Sample of vinegar manufactured by the York State Fruit Co., Fairport, N. Y., and sold by Lee & Cady, Saginaw. Not the legitimate product of pure apple juice. Manufactured in whole or in part from dried apple waste.

No. 39209, L-163. Sample of vinegar manufactured by the York State Fruit Co., Fairport, N. Y. Not the legitimate product of pure apple juice. Contains added phosphoric acid.

No. 39226, E-162. Sample of vinegar manufactured by Wm. W. Vaughan Co., Detroit. Not a pure cider vinegar. Low in total solids, non-sugar solids. High in ash. Contains added distilled vinegar and drugs.

No. 39238, E-165. Sample of vinegar manufactured by the Benton Fruit Products Co., Benton Harbor. Not a pure cider vinegar. Below standard in total solids and non-sugar solids. Contains distilled vinegar.

No. 39244, E-163. Sample of vinegar manufactured by Duprey & Faulmann Co., Detroit, and procured from Grosberg & Reuter, Detroit. Not a pure cider vinegar. Manufactured in whole or in part of dried skins and cores or chops. An imitation vinegar.

No. 39245, E-164. Sample of vinegar manufactured by the Wm. W. Vaughan Co., Detroit. Not a pure cider vinegar. Contains added drugs.

No. 39279, E-166. Sample of vinegar manufactured by the Harbauer Company, Toledo, Ohio, and procured from E. J. Dossin, Detroit. Manufactured in whole or in part from dried peels and cores. An imitation vinegar.

No. 39324, E-173. Sample of vinegar manufactured by the Allegan Cider & Vinegar Company, Allegan, and procured from Godsmark Durand & Company, Battle Creek. Not a pure cider vinegar. Contains distilled vinegar.

No. 39326, E-175. Sample of vinegar manufactured by the Allegan Cider and Vinegar Company, Allegan, and procured from J. F. Halladay & Son, Battle Creek. Not a pure cider vinegar. Contains distilled vinegar or dilute acetic acid.

No. 39334, E-176. Sample of vinegar manufactured by the Robinson Cider & Vinegar Company, Benton Harbor, and procured from A. W. Walsh, Kalamazoo. Not a pure cider vinegar. Contains distilled vinegar.

No. 39335, E-177. Sample of vinegar manufactured by the Harbauer Company, Toledo, Ohio, and procured from Lee & Cady, Kalamazoo. Not a pure cider vinegar. Manufactured in whole or in part of dried skins, cores or chops. An imitation vinegar.

No. 39336, E-178. Sample of vinegar manufactured by the Robinson

Cider & Vinegar Company, Benton Harbor, and procured from Lee & Cady, Kalamazoo. Not a pure cider vinegar. Contains distilled vinegar or dilute acetic acid.

No. 39337, E-179. Sample of vinegar manufactured by the Williams Bros. Company, Detroit, and procured from Lee & Cady, Kalamazoo. Not a pure cider vinegar. Manufactured in whole or in part of dried apple skins and cores or chops. An imitation vinegar.

No. 39346, U-54. Sample of vinegar manufactured by the King Seed Company, Battle Creek. Below standard in acidity.

No. 39388, E-185. Sample of vinegar manufactured by the Allegan Cider & Vinegar Company, Allegan, and procured from Northrup, Robertson & Carrier Co., Lansing. Not a pure cider vinegar. Contains distilled vinegar.

No. 39389, E-186. Sample of vinegar manufactured by the Harbauer Company, Toledo, Ohio, and procured from Northrup, Robertson & Carrier Co., Lansing. Not a pure cider vinegar. Manufactured in whole or in part of dried apple skins, cores or chops.

No. 39411, L-180. Sample of vinegar manufactured by Williams Bros., Detroit, and sold by the Bay City Grocery Co., Bay City. Not a pure cider vinegar. Manufactured in whole or in part of dried apple skins, peels and cores. An imitation vinegar.

No. 39413, E-192. Sample of vinegar manufactured by Williams Bros., Detroit, and procured from the National Grocer Co., Jackson. Not a pure cider vinegar. Manufactured in whole or in part of dried skins, cores or chops. An imitation vinegar.

No. 39414, E-193. Sample of vinegar manufactured by the Harbauer Company, Toledo, Ohio, and procured from the National Grocer Co., Jackson. Not a pure cider vinegar. Manufactured in whole or in part of dried skins, cores or chops. An imitation vinegar.

No. 39439, L-181. Sample of vinegar manufactured by Williams Bros., Detroit, and procured from the Bay City Grocery Co., Bay City. Not a pure cider vinegar. Manufactured in whole or in part of dried apple skins, peels and cores.

No. 39440, L-182. Sample of vinegar manufactured by the Harbauer Co., Toledo, Ohio, and procured from the Bay City Grocery Co., Bay City. Not a pure cider vinegar. Manufactured in whole or in part of dried skins, cores and chops. An imitation vinegar.

No. 39473, L-183. Sample of vinegar manufactured by the Harbauer Co., Toledo, Ohio, and procured from the Bay City Grocery Co., Bay City. Not a pure cider vinegar. Manufactured in whole or in part of dried skins, cores and chops. An imitation vinegar.

No. 39505, E-209. Sample of vinegar manufactured by John Kellogg, Lowell, Michigan, and procured from the Worden Grocery Co., Grand Rapids. Below standard in acidity.

No. 39507, E-211. Sample of vinegar manufactured by Lewis Eckhoff, Nunica, and procured from John Kellogg, Lowell. Below standard in acidity.

No. 39552, L-192. Sample of vinegar manufactured by L. H. Mulvey, Shepherd. Contains distilled vinegar.

No. 39553, L-193. Sample of vinegar manufactured and sold by L. H. Mulvey, Shepherd. Not a pure cider vinegar.

No. 39647, G-1342. Sample of cider vinegar manufactured by Chas. Uelsmann, Detroit, and sold by the Tamarack Cooperative Assn., Tama-

rack. Not a pure cider vinegar. Contains added distilled vinegar or dilute acetic acid.

No. 39655, L-196. Sample of apple cider vinegar manufactured by Williams Bros., Detroit. Not a pure cider vinegar but an imitation thereof. Manufactured in whole or in part of dried apple waste.

No. 39656, L-197. Sample of apple cider vinegar manufactured by Williams Bros., Detroit. Not a pure cider vinegar. Manufactured in whole or in part of dried apple waste. An imitation vinegar.

No. 39666, L-198. Sample of Tourist Cider Vinegar, manufactured by Wm. W. Vaughan, Detroit. Not a pure cider vinegar. Contains added ash material.

No. 39667, L-199. Sample of cider vinegar (Tourist Brand), manufactured by Wm. W. Vaughan, Detroit. Not a pure cider vinegar. Contains added phosphoric acid or salts thereof.

No. 39668, L-200. Sample of Tourist Brand Cider vinegar, manufactured by Wm. W. Vaughan, Detroit. Not a pure cider vinegar. Contains material high in ash.

No. 39669, L-201. Sample of Tourist Brand cider vinegar, manufactured by Wm. W. Vaughan, Detroit. Not a pure cider vinegar. Contains material high in ash.

No. 39670, L-202. Sample of apple cider vinegar, manufactured by the Williams Bros., Detroit. Not a pure cider vinegar. Manufactured in whole or in part of dried apple waste. An imitation vinegar.

No. 39671, L-203. Sample of Tourist Brand cider vinegar, manufactured by Wm. W. Vaughan, Detroit. Not a pure cider vinegar. Contains material high in ash.

No. 39672, L-204. Sample of Tourist Brand cider vinegar, manufactured by Wm. W. Vaughan, Detroit. Not a pure cider vinegar. Contains material high in ash.

No. 39674, L-205. Sample of apple cider vinegar, manufactured by Williams Bros., Detroit, and sold by Symons Bros., Saginaw. Not a pure cider vinegar. Manufactured in whole or in part of dried apple waste. An imitation vinegar.

No. 39781, G-1369. Sample of cider vinegar manufactured by Williams Bros., Detroit, and sold by E. M. Lieblin, Hancock. Not a pure cider vinegar. Below standard in acidity.

No. 39782, G-1370. Sample of apple cider vinegar manufactured by Spencerport Apple Products Co., Inc., Spencerport, N. Y., and sold by the Peninsular Wholesale Grocery Co., Houghton. Not a pure cider vinegar. Manufactured in whole or in part of apple waste. An imitation vinegar.

No. 39784, G-1371. Sample of apple cider vinegar manufactured by the Spencerport Apple Products Co., Spencerport, N. Y., and procured from the Peninsular Wholesale Grocery Co., Houghton. Not a pure cider vinegar. Manufactured in whole or in part of apple waste. An imitation vinegar.

No. 39789, L-208. Sample of apple cider vinegar manufactured by Williams Bros., Detroit, and procured from Symons Bros., Saginaw. Not a pure cider vinegar. Manufactured in whole or in part of apple waste. An imitation vinegar.

No. 29800, G-1372. Sample of cider vinegar manufactured by the

Chas. Uelsmann Co., Detroit, and procured from E. M. Lieblin, Hancock. Not a pure cider vinegar.

No. 39891, G-1393. Sample of White Distilled Vinegar manufactured by A. M. Richter & Sons Co., Manitowoc, Wis. Misbranded for the reason that the barrels were labeled 10% distilled vinegar while analysis showed that the same was only a 2.9% vinegar.

No. 39914, L-215. Sample of Tourist Brand Cider Vinegar manufactured by Wm. W. Vaughan, Detroit, and sold by Tanner & Daily, Bay City. Not a pure cider vinegar. Contains added ash material.

No. 39915, L-216. Sample of Tourist Brand Cider Vinegar manufactured by Wm. W. Vaughan, Detroit, and sold by Tanner & Daily, Bay City. Not a pure cider vinegar. Contains added ash material.

No. 39917, C-2. Sample of Cider Vinegar manufactured by E. J. Dossin, 740 16th St., Detroit, and procured from Konjoyn Bros. 2078 W. Jefferson, Detroit. Not a pure cider vinegar. Below standard in acidity and contains an excessive amount of added water.

No. 40019, G-1409. Sample of Magic Brand Distilled Vinegar manufactured by the Sherer-Gillett Co., Chicago, Ill., and procured from Lukkariness & Co., Negaunee. Below standard in acidity.

No. 40140. Unofficial sample of Vinegar which is below standard in acidity.

No. 40160, G-1421. Sample of White Distilled Vinegar sold by National Grocer Co., Escanaba. Acidity 2.75%. Below standard.

No. 40182, G-1425. Sample of White Distilled Vinegar manufactured by A. M. Richter & Sons, Manitowoc, Wis., and sold by the National Grocer Co., Escanaba. Acidity 3%. Below standard.

No. 40187, G-1430. Sample of White Distilled Vinegar (10%) manufactured by A. M. Richter & Sons, Manitowoc, Wis., and sold by the National Grocer Co., Escanaba. Acidity 9.65%. Below standard.

No. 40338, G-1440. Sample of Cider Vinegar manufactured by Williams Bros. and procured from the National Grocer Co., Sault Ste. Marie. An imitation vinegar.

WATER.

No. 38954, Q-1073. Sample of Panacea Spring Water put up by F. W. Prussels, Mt. Clemens. Misbranded for the reason that it is labeled remarkably pure whereas it is not pure but polluted, and is unsafe for use.

No. 38955, Q-1074. Sample of Victoria Spring Water put up by Chas. Sharkey, Mt. Clemens. Misbranded for the reason that it is labeled a pure palatable water while as a matter of fact it is not pure but badly contaminated and unsafe.

No. 38956, Q-1075. Sample of Maple Leaf Spring Water put up by J. H. Charboneau, Mt. Clemens. Misbranded for the reason that it is not a pure water but is contaminated and unsafe.

No. 39036, R-138. Sample of Sanitas Mineral Water procured from S. D. Yates, Mt. Clemens. Misbranded for the reason that it is not a mineral water.

No. 39037, R-139. Sample of Panacea Spring Water procured from Frank W. Prussel, Mt. Clemens. Misbranded for the reason that it is sold as spring water while as a matter of fact it is not spring water but

well water. Adulterated for the reason that it is not pure but contaminated.

No. 39038, R-140. Sample of Panacea Spring Water procured from Frank W. Prussel, Mt. Clemens. Misbranded for the reason that it is labeled spring water while as a matter of fact it is not spring water but well water. Adulterated for the reason that it is not a pure water but is contaminated.

No. 39039, R-141. Sample of Victory Spring Water procured from Chas. Shorkey, Mt. Clemens. Misbranded for the reason that it is not a spring water but a well water.

No. 39040, R-142. Sample of Maple Leaf Mineral Water procured from John H. Charbeneau, Mt. Clemens. Misbranded for the reason that it is not spring water but well water.

No. 39041, R-143. Sample of Genuine Mt. Clemens Spring Water procured from the Karbonaris Co., Mt. Clemens. Misbranded for the reason that it is not a spring water but a well water.

No. 39042, R-144. Sample of Park Spring Water procured from E. J. Garvey, Mt. Clemens. Misbranded for the reason that it is not a spring water but a well water.

DRUG ANALYST'S REPORT

SUMMARY.

Article.	Total.	Not found adulterated, misbranded or illegal.	Found adulterated, misbranded or illegal.
Acetanilid.....	1	1	0
Acid acetyl salicylic.....	10	9	1
Acid acetyl salicylic (tablets).....	18	11	7
Arsenous acid.....	2	2	0
Acid citric.....	3	3	0
Acid hydrochloric dilute.....	3	3	0
Alcohol.....	1	1	0
Boric acid.....	1	1	0
Calomel.....	2	2	0
Camphor (aqua).....	2	2	0
Camphor (liniment).....	21	13	8
Camphor (spirits).....	26	17	9
Carbolic acid.....	1	1	0
Cocaine hydrochloric flake.....	1	1	0
Compound chalk powder.....	1	1	0
Chlorinated lime.....	2	0	2
Chlorate potash tablets.....	1	1	0
Donovan's solution.....	1	0	1
Dyspepsia tablets.....	1	1	0
Elixir acetanilid compound.....	1	1	0
Elixir ammonium bromide.....	1	1	0
Elixir bromide compound.....	1	1	0
Elixir potassium bromide.....	6	2	4
Flaxseed (ground).....	1	1	0
Fluid extract cascara.....	2	2	0
Fluid extract ginger.....	2	2	0
Formaldehyde.....	1	1	0
Fowler's solution.....	11	7	4
Glycerine.....	11	11	0
Glycerine suppositories.....	1	1	0
Iodine (resublimed).....	1	1	0
Lime water.....	2	2	0
Linseed oil.....	28	15	13
Migraine tablets.....	1	1	0
Milk sugar.....	1	1	0
Mercurial ointment.....	1	1	0
Myrrh.....	18	10	8
Nitro-glycerine tablets.....	1	1	0
Nux vomica.....	8	8	0
Olive oil.....	1	0	1
Paregoric.....	1	1	0
Peppermint.....	8	5	3
Pepsin.....	6	3	3
Phenacetine.....	1	1	0
Potassium iodide.....	1	1	0
Potassium permanganate (C. T.).....	1	1	0
Proprietary preparations.....	46	38	8
Rice powders.....	11	0	11
Rhubarb (powdered).....	1	1	0
Seidlitz powders.....	2	2	0
Soap liniment.....	2	1	1
Sodium bromide (C. T.).....	2	2	0
Sodium salicylate (C. T.).....	2	1	1
Spirits ammonia (aromatic).....	2	1	1
Spirits nitre.....	32	11	21
Strychnine Sulphate (T. T.).....	2	2	0
Sweet oil.....	1	1	0
Tablets (antiseptic).....	2	2	0
Tablets (compressed triple bromides).....	1	1	0
Tablets (compressed hexamethylenetetramine).....	1	1	0

SUMMARY.—*Concluded.*

Article.	Total.	Not found adulterated, misbranded or illegal.	Found adulterated, misbranded or illegal.
Tincture aconite.....	1	1	0
Tincture aloes.....	1	1	0
Tincture arnica.....	1	1	0
Tincture asafetida.....	2	2	0
Tincture belladonna.....	1	1	0
Tincture benzoin.....	30	18	12
Tincture calumba.....	4	3	1
Tincture cantharides.....	2	2	0
Tincture capsicum.....	3	3	0
Tincture cardamon compound.....	3	2	1
Tincture catechu.....	1	1	0
Tincture cinchona compound.....	2	2	0
Tincture cinnamon.....	1	1	0
Tincture colchicum seed.....	1	1	0
Tincture cubeb.....	1	1	0
Tincture ferri chloride.....	1	1	0
Tincture gelsemium.....	4	2	2
Tincture gentian.....	2	2	0
Tincture ginger.....	6	4	2
Tincture gulac.....	3	3	0
Tincture hydrocyanus.....	1	1	0
Tincture iodine.....	70	28	42
Tincture lobelia.....	1	1	0
Tincture opium (camphorated).....	2	2	0
Tincture podophyllum.....	1	1	0
Tincture quassia.....	4	1	3
Tincture sanguinaria.....	1	1	0
Tincture tolu.....	2	2	0
Tincture valerian.....	2	2	0
Tincture veratrum.....	1	1	0
Turpentine.....	10	5	5
Wintergreen essence.....	2	2	0
Witch hazel.....	2	2	0
Zinc oxide ointment.....	5	3	2
Zinc sulphate.....	1	1	0
Total.....	498	321	177

ACID ACETYL SALICYLIC.

No. 40305, Q-1432. Sample of Acid Acetyl Salicylic manufactured by Frank Kerr, Detroit, and procured from the National Pharmacy, 297 Westminster Ave., Detroit. Sample is adulterated.

TABLETS ACID ACETYL SALICYLIC (5 GRAIN).

No. 40030, Q-1324. Sample of Tablets Acid Acetyl Salicylic manufactured by the O. F. Schmid Chemical Co., Jackson, and procured from the Ideal Pharmacy, 153 Buchanan St., Detroit. Contains less acetyl salicylic acid than claimed.

No. 40046, Q-1340. Sample of Tablets Acid Acetyl Salicylic manufactured by F. W. Keer Co., Detroit, and procured from the Delray Drug Co., 2226 W. Jefferson Ave., Detroit. Misbranded in that the tablets do not contain 5 grains as claimed.

No. 40071, Q-1350. Sample of Tablets Acid Acetyl Salicylic manufactured by F. W. Kerr, Detroit, and procured from O. P. Shuler, Charlotte.

Condemned for the reason that it contains less acetyl salicylic acid than claimed.

No. 40118, Q-1380. Sample of Tablets Acid Acetyl Salicylic manufactured by the Drug Trading Co., Toronto, Canada, and procured from F. C. Eakins, Bannister. Tablets do not contain 5 grains Acid Acetyl Salicylic as claimed. Misbranded.

No. 40232, Q-1406. Sample of Tablets Acid Acetyl Salicylic manufactured by Lambert & Lowman, Detroit, and procured from W. A. Rose, 145 Tireman Ave., Detroit. Tablets contain less Acid Acetyl Salicylic than claimed.

No. 40251, Q-1425. Sample of Tablets Acid Acetyl Salicylic manufactured by Burrough Bros. Mfg. Co., Baltimore, Md., and procured from the Mutual Drug Co., Detroit. Tablets contain less Acid Acetyl Salicylic than claimed. Misbranded.

No. 40342, Q-1438. Sample of Tablets Acid Acetyl Salicylic manufactured by F. A. Thompson Co., Detroit, and procured from A. E. LaFortune, 207 12th St., Detroit. Tablets contain less than 5 grains Acid Acetyl Salicylic. Misbranded.

CAMPBOR LINIMENT.

No. 38684, Z-808. Sample of camphor liniment manufactured and sold by E. A. Wright, Pentwater. Camphor 13.6%. Low in camphor.

No. 39063, Z-853. Sample of camphor liniment manufactured and sold by F. A. Hall, Jackson. Camphor 14.52%. Below standard in camphor content.

No. 39634, Q-1189. Samples of camphor liniment manufactured and sold by the Red Cross Pharmacy, Flint. Camphor 9.13%. Does not conform to U. S. P. requirements. Low in camphor.

No. 39763, Q-1218. Sample of camphor liniment manufactured and sold by Geo. F. Cimini, 568 Rivard St., Detroit. Does not conform to U. S. P. IX. Low in Camphor.

No. 39843, Q-1248. Sample of Camphor Liniment manufactured and sold by A. A. Riker, 310 S. Saginaw St., Flint. Does not conform to U. S. P. requirements. Low in Camphor.

No. 39978, Q-1300. Sample of camphor liniment manufactured and sold by N. J. Burley, 2510 Grand River, Detroit. Below U. S. P. in camphor.

No. 40072, Q-1351. Sample of camphor liniment manufactured and sold by J. H. Bryan, Charlotte. Camphor 9.13%. Condemned because below U. S. P. requirements.

No. 40077, Q-1356. Sample of camphor liniment manufactured and sold by Theo. G. DePeel, Onondaga. Does not conform to U. S. P. requirements. Low in camphor.

CHLORINATED LIME.

No. 38709, Q-1058. Sample of chlorinated lime put up by A. Mendleson's Sons, Albany, N. Y., and procured from Grunow Drug Co., 93 Gratiot Ave., Detroit. Does not conform to U. S. P. in available chlorine.

No. 39281, Z-864. Sample of chlorinated lime procured from C. H. Brown, Nashville. Below standard in chlorine.

STATE OF MICHIGAN.

DONOVAN'S SOLUTION.

No. 40088, Q-1367. Sample of Donovan's Solution, manufactured and sold by M. F. Conway, Jackson. Does not conform to U. S. P. requirements. Low in mercuric iodide and arsenic iodide.

ELIXIR POTASSIUM BROMIDE.

No. 39397, Q-1224. Sample of elixir potassium bromide N. F. procured from E. C. Spens, 204 Jos. Campau Ave., Detroit. Below standard in potassium bromide.

No. 39610, Q-1165. Sample of elixir potassium bromide manufactured and sold by the Mercer Drug Co., 427 Detroit St., Flint. Does not conform to N. F. requirements. Low in potassium bromide.

No. 39962, Q-1292. Sample of elixir potassium bromide manufactured and sold by W. R. Mead, Eaton Rapids. Contains 9.045 gms. per 100 mils. Below N. F. standard in potassium bromide.

No. 40306, Q-1433. Sample Elixir Potassium Bromide manufactured by Van Loon & Freytag, Detroit, and procured from Raymond Drug Co., Detroit. Below N. F. standard.

FOWLER'S SOLUTION.

No. 38949, Z-834. Sample of Fowler's Solution manufactured and sold by the Michigan Drug Co., Detroit, and procured from B. A. Wright, Saginaw, E. S. Low in arsenic trioxide.

No. 39541, Q-1145. Sample of Fowler's Solution manufactured and sold at Cunningham's Store, 219 Woodward Ave., Detroit. Below standard in arsenic trioxide.

No. 39622, Q-1177. Sample of Fowler's Solution manufactured and sold at McKeighan Drug Store, Flint. Below standard in arsenic trioxide.

No. 39879, Q-1255. Sample of Fowler's Solution, procured from C. R. Robertson, Clio. Misbranded for the reason that the solution is paregoric.

LINSEED OIL.

No. 38719, L-140. Sample of raw linseed oil manufactured by the Southern States Turpentine Co., Cleveland, and procured from J. F. Schroeder, Ruth. Not a pure linseed oil.

No. 38807. Unofficial sample of linseed oil. Not a pure linseed oil. Contains about 5% rosin oil.

No. 38821, G-1271. Sample of boiled linseed oil manufactured by the Noble Refining Co., Cleveland, Ohio, and procured from P. Christensen, Michigamme. Mineral oil 40.3%. Not a pure linseed oil.

No. 38842, L-146. Sample of boiled linseed oil manufactured by the Noble Refining Co., Cleveland, Ohio. Mineral oil 53%. Not pure linseed oil.

No. 38843, L-145. Sample of raw linseed oil manufactured by the Noble Refining Co., Cleveland, Ohio. Mineral oil 45%. Not pure linseed oil.

No. 38900, G-1276. Sample of linseed oil manufactured by the Southern States Turpentine Co., Cleveland, Ohio, and procured from the Atlantic Mine Store, Atlantic. Not a pure linseed oil. Contains 14.9% mineral oil.

No. 38902, G-1278. Sample of linseed oil manufactured by the Ohio State Linseed Co., Cleveland, Ohio, and procured from M. Kivi and Company, South Range. Not a pure linseed oil. Contains 31.3% mineral oil.

No. 38973. Unofficial sample of linseed oil. Not a pure oil. Contains mineral oil.

No. 39412. Unofficial sample of boiled linseed oil. Not a pure linseed oil. Contains about 45% mineral oil.

No. 39739, G-1365. Sample of boiled linseed oil manufactured by the Ohio State Linseed Co., Cleveland, Ohio, and procured from the Iron River Mercantile Co. Sample contains 35% mineral oil.

No. 39894, G-1396. Sample of boiled linseed oil manufactured by the Bagley Linseed Oil Co., Chicago, Ill. Not a pure oil. Contains 30% mineral oil.

No. 40133, G-1414. Sample of Raw Linseed Oil manufactured by the Ohio State Linseed Oil Co., Cleveland, Ohio, and procured from the Lake Linden Co-operative Society, Lake Linden. Contains 35% mineral oil.

No. 40391. Unofficial sample of Linseed Oil containing 59% mineral oil.

OLIVE OIL.

No. 38708, Q-1057. Olive oil sold by the Arcadia Food Company, New York, and procured from Cunningham's Drug Store, 155 Woodward Ave., Detroit. Short measure.

PEPSIN.

No. 39408, Z-871. Sample of essence pepsin procured from C. B. Cretsinger, Kalamazoo. Does not conform to N. F. requirements. Digestive power is low.

No. 39609, Q-1164. Sample of essence pepsin N. F. 3d. manufactured and sold by the Mercer Drug Co., 427 Detroit St., Flint. Condemned for the reason that it does not conform to the N. F. requirements. Low in digestive power.

No. 39755, Q-1210. Sample of Elix. Lactated pepsin manufactured by the F. A. Thompson Co., Detroit, and procured from the Simons Cooper Co., 1735 Woodward Avenue, Detroit. Claimed 80 gr. Lactated Pepsin to the ounce. Condemned because low in digestive power.

PEPPERMINT.

No. 38910, Z-820. Sample of Spirits Peppermint manufactured and sold by the Paw Paw Drug Co., Paw Paw. Does not conform to U. S. P. requirements. Low in oil of peppermint.

No. 39465, Z-874. Sample of essence peppermint manufactured and sold by A. B. Schumaker, Grand Ledge. Oil of peppermint 0.9% by vol. Below standard in oil of peppermint.

No. 39907, Q-1267. Sample of spirits peppermint manufactured and sold by A. O. Dersham, Blissfield. Contains oil of peppermint 3.7%. Does not conform to U. S. P. requirements. Low is oil of peppermint.

PROPRIETARY PREPARATIONS.

No. 38520, Q-1034. Sample of Varlex Compound manufactured by the Varlex Manufacturing Co., Kansas City, Mo., and procured from R. S. Varnum's sons, Jonesville. Condemned for the reason that it is not a liquor remedy as advertised.

No. 38559, Z-795. Sample of Stuart's Calcium Wafer Compound manufactured by F. A. Stuart & Co., Marshall, and procured from Geo. Surplice, Kalamazoo. Condemned for the reason that the label and circular bear statements which are false and misleading.

No. 38641, Z-799. Sample of Stewart's Home Treatment, White Lily Capsules, manufactured by the Puritanic Remedy Co., Coldwater. Not salable for the reason it contains statement on circular accompanying package in regard to curative effects which are fraudulent.

No. 38711, Q-1060. Sample of Spalding's Plasters manufactured by the Spalding Plaster Co., Cleveland, Ohio, and procured from Crowley & Milner Co., Detroit. Misbranded for the reason that the circular accompanying package bears statements regarding curative effect which are false and fraudulent.

No. 38826, Q-1066. Sample of Frasier's Golden Oil manufactured by Frasier & Stone Med. Co., Fairgrove, Michigan. Contains statement in regard to the curative properties which are false and fraudulent. This product is not a catarrh cure.

No. 39393, Q-1120. Sample of Nonspi manufactured by the Nonspi Company, Kansas City, Mo., and procured from the J. L. Hudson Co., Detroit. Statement on label accompanying package is not justifiable in that they claim same to be a harmless remedy for excessive armpit perspiration.

No. 39983, Q-1305. Sample of Radium Radia manufactured by the Radium Radia Co., Los Angeles, Cal., and procured from Crowley Milner & Co., Detroit. Sample consists of Capsicum and Turpentine. Misbranded.

No. 40157. Unofficial sample of Bromo-Nettle Compound. Misbranded. Contains less Sodium Bromide than claimed.

RICE POWDERS.

No. 38695, Q-1044. Sample of Poudre de Riz manufactured by Roger & Gallet, Paris, France, sold by the Michigan Drug Co., Detroit, and procured from L. E. Gilleo, Highland Park. Not a pure rice powder. Contains other ingredients to the extent of 47%.

No. 38696, Q-1045. Sample of Poudre de Riz manufactured by Roger & Gallet, Paris, France, sold by the Michigan Drug Co., Detroit, and procured from L. E. Gilleo, Highland Park. Not a pure rice powder. Contains 48% talcum.

No. 38697, Q-1046. Sample of Poudre de Riz manufactured by A. Bourjois & Co., Paris, France, sold by the Michigan Drug Co., Detroit, and procured from L. E. Gilleo, Highland Park. Not a rice powder. Contains no rice in any form whatever.

No. 38698, Q-1047. Sample of Poudre de Riz manufactured by L. T. Piver, Paris, France, sold by the Michigan Drug Co., Detroit, and procured from L. E. Gilleo, Highland Park. Not a pure rice powder but contains 58% of ingredients not found in rice powder.

No. 38699, Q-1048. Sample of Poudre de Riz manufactured by L. T. Piver, Paris, France, sold by the Michigan Drug Co., Detroit, and procured from L. E. Gilleo, Highland Park. Not a pure rice powder but contains 58% of ingredients not found in rice or rice powder.

No. 38702, Q-1051. Sample of Rice Powder manufactured by Richard Hudnut, New York, and procured from the Liggett's Drug Store, Detroit. Not properly labeled for the reason that it is not a pure rice powder but contains other ingredients to the extent of 21%.

No. 38703, Q-1052. Sample of Poudre de Riz manufactured by Liggett's Co., New York, and procured from the Liggett's Drug Store, Detroit. Not properly labeled for the reason that it is not a pure rice powder but contains 10% mineral matter.

No. 38704, Q-1053. Sample of Rice Powder manufactured for and procured from the Liggett's Drug Store, Detroit. Not properly labeled for the reason that it is not a pure rice powder, but contains 58% mineral matter.

No. 38705, Q-1054. Sample of Poudre de Riz manufactured by the Nyal Company, Detroit, and procured from Cunningham's Drug Store, Detroit. Not properly labeled for the reason that it is not a rice powder but contains 56% mineral matter.

No. 38706, Q-1055. Sample of poudre de riz manufactured by Mothiron, Paris, France, and procured from Cunningham's Drug Store, Detroit. Not properly labeled for the reason that it contains 92% mineral matter and only a trace of rice powder.

No. 38707, Q-1056. Sample of Poudre de Riz manufactured by Maubert, Paris, France, and procured from Cunningham's Drug Store, Detroit. Not properly labeled for the reason that it is not a pure rice powder but contains 59% mineral matter.

SOAP LINIMENT.

No. 40201, Q-1402. Sample of Soap Liniment manufactured and sold by F. B. Hursley, 467 Vermont Ave., Detroit. Does not conform to U. S. P. requirements. Low in Camphor and Soap.

SPIRITS AMMONIA (AROMATIC).

No. 40200, Q-1401. Sample of Aromatic Spirits of Ammonia manufactured and sold by F. B. Hursley, 467 Vermont Ave., Detroit. Does not conform to U. S. P. requirements.

SPIRITS CAMPHOR.

No. 29873, Q-1258. Sample of spirits of camphor manufactured and sold by F. D. Brigham, Ortonville. Does not conform to U. S. P. requirements. Low in camphor.

No. 39217, Z-860. Sample of spirits camphor manufactured and sold by R. T. Camefix, White Pigeon. Below standard in camphor.

No. 39461, Z-876. Sample of spirits camphor manufactured and sold by the Hotel Dawn Drug Store, Maurice L. Dupre, Prop., Benton Harbor. Camphor 7.89%. Below standard in camphor.

No. 39615, Q-1170. Sample of spirits camphor manufactured and sold

by the Lloyd Drug Company, 2320 Saginaw St., Flint. Does not conform to the U. S. P. requirements. Low in camphor.

No. 39632, Q-1187. Sample of spirits camphor manufactured and sold by the Red Cross Pharmacy, 1100 Saginaw St., Flint. Camphor 6.23%. Low in camphor.

No. 39761, Q-1216. Sample of spirits of camphor manufactured and sold by Cary Bros., 358 St. Antoine St., Detroit. Does not conform to U. S. P. requirements. Low in camphor.

No. 39837, Q-1242. Sample of spirits of camphor manufactured by the Maxon Liniment Co., Mt. Clemens, and procured from the Central Drug Store, 427 S. Saginaw St., Flint. Condemned because it does not conform to U. S. P. requirements. Low in camphor.

No. 40037, Q-1331. Sample of spirits of camphor manufactured and sold by the Charlton Pharmacy, 297 Greenwood Avenue, Detroit. Camphor 7.88%. Does not conform to U. S. P. requirements. Low in camphor.

No. 40385, Q-1446. Sample of Spirits of Camphor manufactured and sold by F. J. Henning, 693 3rd Ave., Detroit. Contains an excessive amount of Camphor.

SPIRITS NITRE.

No. 38632, Z-802. Sample of spirits of nitre procured from Kelly & Whitehouse, Turner. Ethyl nitrite 3.3%. Low in ethyl nitrite.

No. 39117, Z-258. Sample of spirits nitre manufactured and sold by Frank J. Maus, Kalamazoo. Below standard in ethyl nitrite.

No. 39214, Q-1106. Sample of spirits nitre manufactured and sold by B. L. Reynolds, Detroit. Below standard in ethyl nitrite.

No. 39220, Z-862. Sample of Spirits Nitre procured from Dr. S. Watley, Lansing. Below standard in ethyl nitrite.

No. 39485, Q-1128. Sample of spirits nitre manufactured and sold by B. L. Reynolds, 1668 Mack Ave., Detroit. Below standard in ethyl nitrite.

No. 39633, Q-1188. Sample of spirits nitre manufactured and sold by the Red Cross Pharmacy, Flint. Does not conform to U. S. P. requirements. Low in ethyl nitrite.

No. 39638, Q-1193. Sample of spirits nitre manufactured and sold by the J. C. Hughes Co., 520 Saginaw St., Flint. Does not conform to U. S. P. requirements. Low in ethyl nitrite.

No. 39695, Q-1199. Sample of spirits nitre manufactured and sold by H. S. Carpenter, 211 Jefferson Ave., East, Detroit. Low in ethyl nitrite.

No. 39703, Q-1207. Sample of spirits nitre manufactured and sold by Little & Son, 1609 Jos. Campau Ave., Detroit. Low in ethyl nitrite.

No. 39769, Q-1224. Sample of spirits nitre manufactured and sold by Zimmerman and Kelly, 672 Buchanan St., Detroit. Does not conform to U. S. P. standard in ethyl nitrite.

No. 39828, Q-1233. Sample of spirits nitre manufactured and sold by C. B. Crampton, 429 S. Saginaw St., Flint. Does not conform to U. S. P. requirements. Low in ethyl nitrite.

No. 39839, Q-1244. Sample of spirits nitre manufactured and sold by Mercer's Drug Store, 415 S. Saginaw St., Flint. Does not conform to U. S. P. requirements. Low in ethyl nitrite.

No. 39842, Q-1247. Sample of spirits nitre manufactured and sold by A. A. Riker, 310 S. Saginaw St., Flint. Does not conform to U. S. P. requirements. Low in ethyl nitrite.

No. 39865, Q-1250. Sample of spirits nitre procured from John Layman, Mt. Morris. Does not conform to statement on label. Low in ethyl nitrite.

No. 39874, Q-1259. Sample of spirits nitre manufactured and sold by F. D. Brigham, Ortonville. Does not conform to U. S. P. requirements. Low in ethyl nitrite.

No. 39959, Q-1289. Sample of spirits nitre manufactured and sold by W. H. Goodrich, Dimondale. Contains ethyl nitrite .59%. Does not conform to U. S. P. standards. Low in ethyl nitrite.

No. 39961, Q-1291. Sample sweet spirits nitre manufactured and sold by W. R. Mead, Eaton Rapids. Does not conform to U. S. P. IX requirements. Low in ethyl nitrite.

No. 40082, Q-1362. Sample spirits nitre manufactured and sold by the French Drug Co., Jackson. Does not conform to U. S. P. requirements. Low in ethyl nitrite.

No. 40155, Q-1388. Sample spirits of nitre manufactured and sold by the Russell Pharmacy, 1179 Russell St., Detroit. Below standard in ethyl nitrite.

No. 40199, Q-1400. Sample spirits of nitre manufactured and sold by H. F. Harmon, 216 Michigan Ave., Detroit. Does not conform to U. S. P. requirements. Low in ethyl nitrite.

No. 40233, Q-1407. Sample of spirits nitre manufactured and sold by B. L. Reynolds, 1668 Mack Ave., Detroit. Does not conform to U. S. P. requirements. Low in ethyl nitrite.

C. T. SODIUM SALICYLATE.

No. 39494, Q-1137. Sample of C. T. Sodium Salicylate manufactured and sold by Frank G. Scott, 35 Bates St., Detroit. Below standard in sodium salicylate.

TINCTURE BENZOIN.

No. 39607, Q-1162. Sample of tincture benzoïn manufactured and sold by the Mercer Drug Co., 427 Detroit St., Flint. Low in benzoïn.

No. 39759, Q-1214. Sample of tincture benzoïn manufactured and sold by A. E. Ryan & Son, 2285 Woodward Ave., Detroit. Low in benzoïn.

No. 39764, Q-1219. Sample of tincture of benzoïn manufactured and sold by Geo. T. Cimini, 568 Rivard St., Detroit. Low in benzoïn.

No. 39826, Q-1231. Sample of tincture benzoïn manufactured and sold by Martin and Zimmerman, 529 S. Saginaw St., Flint. Low in benzoïn.

No. 39950, Q-1280. Sample of tincture of benzoïn manufactured and sold by Hunt's Drug Store, St. Johns. Low in benzoïn.

No. 39954, Q-1284. Sample of tincture of benzoïn manufactured and sold by VanSickle and Glaspie, St. Johns. Low in benzoïn.

No. 39984, Q-1306. Sample of tincture of benzoïn manufactured and sold by the Reno Drug Co., 3188 Jefferson W., River Rouge. Below U. S. P. standard in benzoïn.

No. 40029, Q-1323. Sample of tincture of benzoïn manufactured and sold by W. E. Fieró, 919 24th St., Detroit. Low in benzoïn.

No. 40045, Q-1339. Sample of tincture of benzoin manufactured and sold by W. N. Young, 575 Greenwood, Detroit. Low in benzoin.

No. 40073, Q-1352. Sample of tincture of benzoin manufactured and sold by J. H. Bryan, Charlotte. Low in benzoin.

No. 40195, Q-1396. Sample of Tr. of Benzoin manufactured and sold by Ottoway's Pharmacy, 703 Oakland, Detroit. Low in benzoin.

No. 40202, Q-1403. Sample of Tr. Benzoin manufactured and sold by F. B. Hursley, 467 Vermont Ave., Detroit. Low in benzoin solids.

TINCTURE CALUMBA.

No. 39841, Q-1246. Sample of tincture calumba manufactured and sold by A. A. Riker, 310 S. Saginaw St., Flint. Does not conform to U. S. P. requirements. Low in calumba.

TINCTURE CARDAMON COMPOUND.

No. 39977, Q-1299. Sample of tincture cardamon compound manufactured and sold by the Olympia Pharmacy, 137 Monroe St., Detroit. Below standard in total solids.

TINCTURE GELSEMIUM.

No. 39972, Q-1294. Sample of tincture gelsemium manufactured and sold by the Rivard Pharmacy, 174 Rivard St., Detroit. Does not conform to U. S. P. requirements. Low in gelsemium.

No. 39976, Q-1298. Sample of tincture of gelsemium manufactured and sold by the Olympia Pharmacy, 137 Monroe St., Detroit. Does not conform to U. S. P. requirements. Low in gelsemium.

TINCTURE GINGER.

No. 40109, Q-1371. Sample of Tr. Ginger manufactured and sold by E. L. Langworthy, Linden. Below U. S. P. standard in ginger.

No. 40112, Q-1374. Sample of Tr. Ginger manufactured and sold by J. J. Murphy, Linden. Below U. S. P. standard in ginger.

TR. IODINE.

No. 38573, Z-796. Sample of Tr. Iodine manufactured by Peter Van Schaack & Sons, Chicago, and procured from F. E. Lehr, Centerville. Low in potassium iodide.

No. 38639, Q-1038. Sample of Tr. Iodine manufactured and sold at Farmacy of Miracles, 659 Russell St., Detroit. Low in potassium iodide.

No. 38734, Z-811. Sample of Tr. Iodine manufactured and sold by W. M. Warren, Grand Rapids. Low in iodine and potassium iodide.

No. 38817, Z-817. Sample of Tr. Iodine manufactured and sold by Chas. E. Bird, Saugatuck. Low in iodine and potassium iodide.

No. 38839, Z-819. Sample of Tr. Iodine manufactured and sold by P. F. George, Wolverine. Low in iodine and potassium iodide.

No. 38911, Z-821. Sample of Tr. Iodine manufactured and sold by W. S. Temple, Grand Rapids. Below standard in iodine and potassium iodide.

No. 38977, Z-837. Sample of Tr. Iodine manufactured and sold by Jos. Martin, Bay City. Below standard in iodine and potassium iodide.

No. 39013, Q-1082. Sample of Tr. Iodine manufactured and sold by E. C. Kinsel, 24-28 Michigan Ave., Detroit. Below standard in iodine and potassium iodide.

No. 39043, Z-845. Sample of Tr. Iodine manufactured and sold by Arthur Gidley, Central Lake. Below standard in iodine.

No. 39066, Q-1093. Sample of Tr. Iodine manufactured and sold by the Poland Pharmacy Co., 2129 Joseph Campau Ave., Detroit. Below standard in iodine and potassium iodide.

No. 39211, Q-1103. Sample of Tr. Iodine manufactured and sold by M. Baatz, 89 Monroe Ave., Detroit. Below standard in iodine and potassium iodide.

No. 39212, Q-1104. Sample of Tr. Iodine manufactured and sold by Pomeroy & Seaman, 213 Congress St., Detroit. Below standard in iodine and potassium iodide.

No. 39282, Z-865. Sample of Tr. Iodine manufactured and sold by E. L. Fritz, Muskegon Heights. Below standard in potassium iodide and above standard in iodine.

No. 39407, Z-870. Sample of Tincture Iodine manufactured and sold by H. R. Doesberg, Holland. Below standard in iodine and potassium iodide.

No. 39464, Z-879. Sample of Tincture Iodine manufactured and sold at the Interurban Pharmacy, Benton Harbor. Below standard in iodine and potassium iodide.

No. 39486, Q-1129. Sample of Tincture Iodine manufactured and sold by H. G. Borgne, 983 McClellan St., Detroit. Below standard in iodine and potassium iodide.

No. 39543, Q-1147. Sample of Tincture Iodine manufactured and sold at Cunningham's Store, 219 Woodward Ave., Detroit. Above standard in iodine and potassium iodide.

No. 39590, Z-880. Sample of Tincture Iodine manufactured and sold at the Public Drug Store, Benton Harbor. Below standard in iodine and potassium iodide.

No. 39614, Q-1169. Sample of Tincture Iodine manufactured and sold by the Lloyd Drug Company, 2320 Saginaw St., Flint. Does not conform to U. S. P. requirements. Low in iodine.

No. 39621, Q-1176. Sample of Tincture Iodine manufactured and sold by the McKeighan Drug Company, Flint. Does not conform to U. S. P. requirements. Low in iodine.

No. 39626, Q-1181. Sample of Tincture Iodine manufactured and sold by the McKeighan Drug Company, Flint. Does not conform to U. S. P. requirements. Low in potassium iodide.

No. 39631, Q-1186. Sample of Tincture Iodine manufactured and sold by the Red Cross Pharmacy, 1100 Saginaw St., Flint. Does not conform to U. S. P. requirements. Low in potassium iodide.

No. 39694, Q-1198. Sample of Tincture Iodine manufactured and sold by H. S. Carpenter, 211 Jefferson Ave. East, Detroit. Does not conform to U. S. P. requirements. Low in potassium iodide.

No. 39696, Q-1200. Sample of Tincture Iodine manufactured and sold by the Cadillac Drug Store, 1278 Fort St. West, Detroit. Does not conform to U. S. P. requirements. Low in iodine and potassium iodide.

No. 39704, Q-1208. Sample of Tincture Iodine manufactured and sold by Little & Son, 1609 Jos. Campau Ave., Detroit. Does not conform to U. S. P. requirements. Low in iodine and potassium iodide.

No. 39765, Q-1220. Sample of Tincture Iodine manufactured and sold by J. M. Hackett, 577 St. Antoine St., Detroit. Below standard in iodine and potassium iodide. Does not conform to U. S. P. requirements.

No. 39767, Q-1222. Sample of Tincture of Iodine manufactured and sold by Frank Monaco, 652 Riopelle, Detroit. Below standard in iodine and potassium iodide.

No. 39831, Q-1236. Sample of Tincture of Iodine manufactured and sold by C. B. Crampton, 429 S. Saginaw St., Flint. Does not conform to U. S. P. requirements. Low in iodine and potassium iodide.

No. 39838, Q-1243. Sample of tincture of iodine manufactured and sold by Mercer's Drug Store, 415 S. Saginaw St., Flint. Low in iodine and potassium iodide.

No. 39864, Q-1249. Sample of tincture of iodine manufactured and sold by A. W. Hixson, 610 S. Saginaw St., Flint. Does not conform to U. S. P. standards. Low in potassium iodide.

No. 39866, Q-1251. Sample of tincture of iodine manufactured and sold by John Layman, Mt. Morris. Low in potassium iodide.

No. 39906, Q-1266. Sample of tincture of iodine manufactured and sold by A. O. Dersham, Blissfield. Does not conform to U. S. P. IX. Low in iodine and potassium iodide.

No. 39927, Q-1273. Sample of tincture of iodine manufactured and sold by Carl L. Robinson, Leslie. Low in iodine and potassium iodide.

No. 39948, Q-1278. Sample of tincture of iodine manufactured and sold by Hunt's Drug Store, St. Johns. Below standard in iodine and potassium iodide.

No. 39958, Q-1288. Sample of tincture of iodine manufactured and sold by W. H. Goodrich, Dimondale. Does not conform to U. S. P. IX. Low in potassium iodide.

No. 40035, Q-1329. Sample of tincture iodine manufactured and sold by the Charlton Pharmacy, 297 Greenwood, Detroit. Low in iodine and potassium iodide.

No. 40044, Q-1338. Sample of tincture of iodine manufactured and sold by W. N. Young, 575 Greenwood, Detroit. Low in potassium iodide.

No. 40067, Q-1346. Sample of tincture iodine manufactured and sold by O. P. Shuler, Charlotte. Below standard in potassium iodide.

No. 40110, Q-1372. Sample of Tr. Iodine manufactured and sold by J. J. Murphy, Linden. Below standard in iodine and potassium iodide.

No. 40192, Q-1393. Sample of Tr. Iodine manufactured by the Rowe Emergency Supply Co., 498 Hurlbut Ave., Detroit, and procured from the C. R. Wilson Body Co. (Hospital), Clay Ave. & G. T. R. R., Detroit. Below standard in iodine and potassium iodide.

No. 40193, Q-1394. Sample of Tr. Iodine manufactured by the Rowe Emergency Supply Co., 498 Hurlbut Ave., Detroit, and procured from the Dodge Bros. Factory (Hospital), Hamtramck. Below U. S. P. standard in iodine and potassium iodide.

No. 40443, Q-1452. Sample of Tr. Iodine manufactured and sold by Pomeroy & Seaman, 213 Congress St. E., Detroit. Below standard in iodine.

TINCTURE MYRRH.

No. 39931, Q-1277. Sample of tincture of myrrh manufactured and sold by Longyear Bros., Mason. Does not conform to U. S. P. standard. Low in myrrh solids.

No. 40024, Q-1318. Sample of tincture of myrrh manufactured by Nelson Baker & Co., Detroit, and procured from Burnham's Pharmacy, 811 McGraw St., Detroit. Does not conform to U. S. P. requirements. Low in myrrh.

No. 40033, Q-1327. Sample of tincture of myrrh manufactured and sold by A. Hutchinson, 2207 Hamilton Bvd., Highland Park. Low in myrrh.

No. 39835, Q-1240. Sample of tincture of myrrh manufactured and sold by the Central Drug Co., 427 W. Saginaw St., Flint. Low in myrrh.

No. 39975, Q-1297. Sample of tincture of myrrh manufactured and sold by the Columbus Pharmacy, 259 Rivard St., Detroit. Below U. S. P. standard in myrrh.

No. 39608, Q-1163. Sample of tincture of myrrh manufactured and sold by the Mercer Drug Co., 427 Detroit St., Flint. Low in myrrh.

No. 39902, Q-1262. Sample of tincture of myrrh manufactured and sold by Lipp's Drug Store, Deerfield. Low in myrrh.

No. 39830, Q-1235. Sample of tincture of myrrh manufactured and sold by C. B. Crampton, 429 S. Saginaw St., Flint. Low in myrrh.

TINCTURE QUASSIA.

No. 40063, Q-1347. Sample of tincture quassia manufactured and sold by O. P. Shuler, Charlotte. Does not conform to U. S. P. requirements. Low in quassia.

No. 40108, Q-1347. Sample of Tr. Quassia manufactured and sold by E. L. Langworthy, Linden. Below standard in quassia.

No. 40111, Q-1373. Sample of Tr. Quassia manufactured and sold by J. J. Murphy, Linden. Below standard in quassia.

TURPENTINE.

No. 38808. Unofficial sample of turpentine. Not a pure turpentine. Contains mineral oil.

No. 38901, G-1277. Sample of second run turpentine manufactured by the Southern States Turpentine Co., Cleveland, Ohio, and procured from the Atlantic Mine Store, Atlantic. Mineral oil 71.6%.

No. 39105, G-1289. Sample of turpentine manufactured by the Economy Service Co., Oshkosh, Wis., and procured from Uitti Bros., South Range. Not a pure turpentine. Contains 80% mineral oil.

No. 39107, G-1287. Sample of turpentine manufactured by the Southern States Turpentine Co., Cleveland, Ohio, and procured from the Carlton Hardware Co., Calumet. Not a pure turpentine. Contains 26.9% mineral oil.

No. 40146, G-1415. Sample of turpentine manufactured by Geo. R. Jenkin, Chicago, Ill., and procured from the Escanaba Hardware Co., Escanaba. Contains 16.5% mineral oil.

ZINC OXIDE OINTMENT.

No. 38978, Z-838. Sample of zinc oxide ointment manufactured and sold by C. M. LaRue, Bay City. Below standard in zinc oxide.

No. 39064, Z-854. Sample of zinc oxide ointment procured from C. G. Conklin, Jackson. Below standard in zinc oxide.

DAIRY DIVISION REPORT

DAIRY DIVISION REPORT

cows, and it is estimated that approximately one-third of the cow population in Michigan actually fail to pay market price for the feed consumed, labor involved, etc. The second one-third only a little more than making up the loss of the first and poorest one-third, whereas the last and best one-third return a profit of approximately \$32 per head or a

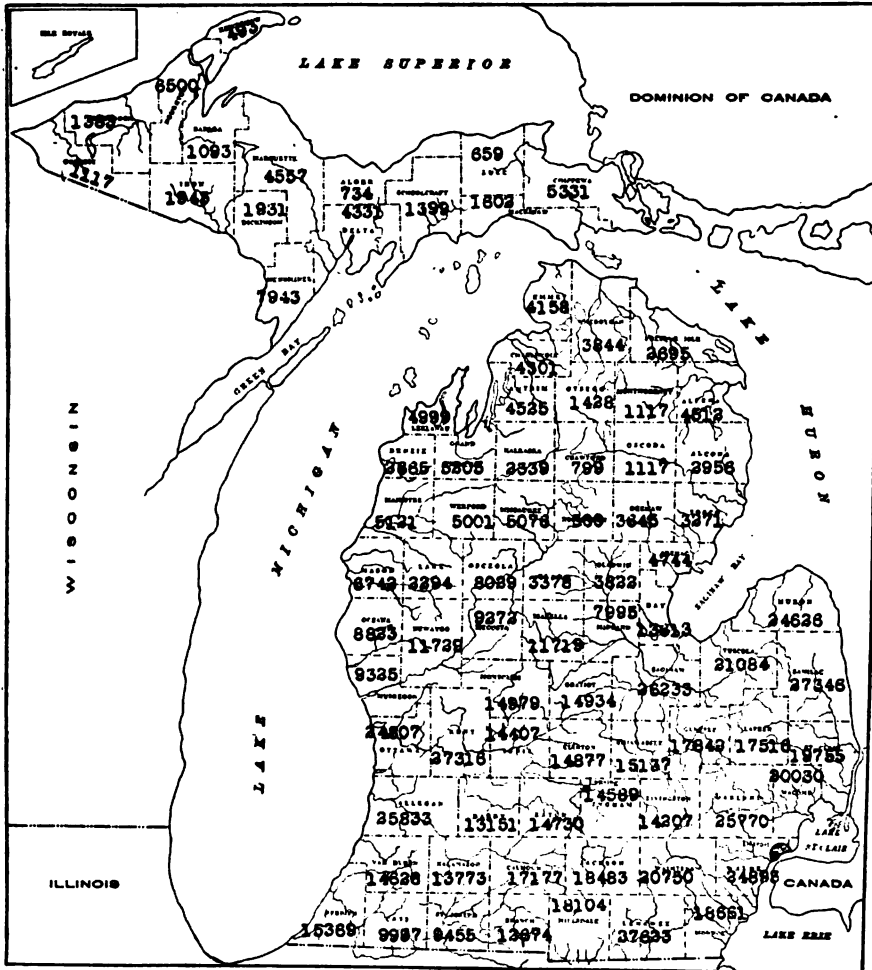


Figure 1. showing distribution of the cow population in Michigan.

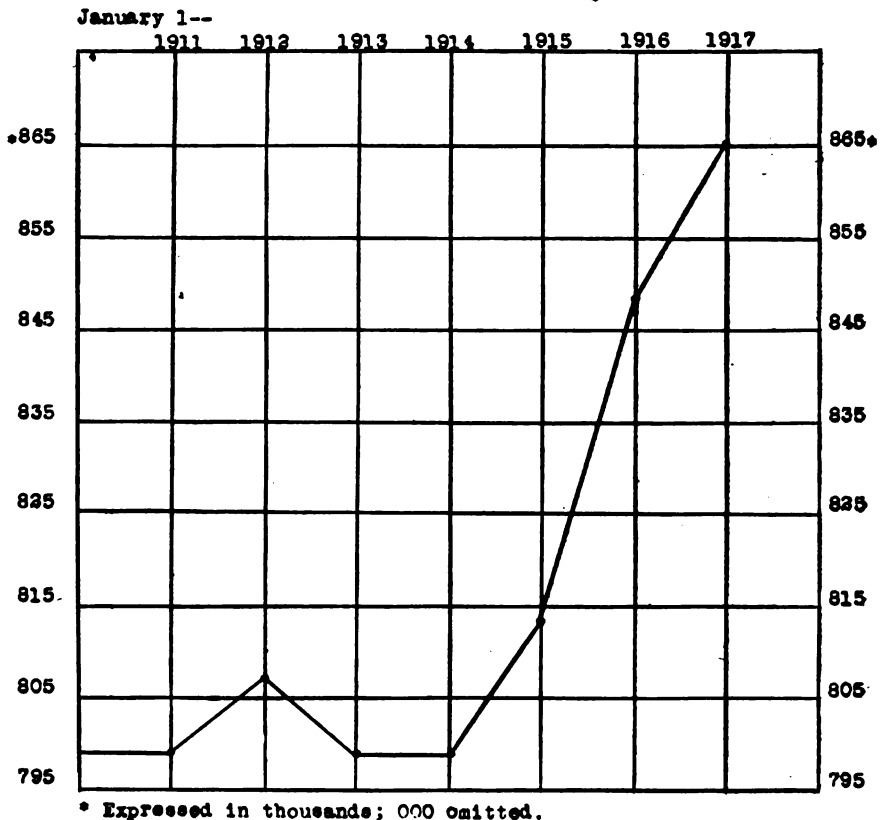
total of nine million dollars annually. It is however difficult to distinguish the unprofitable animal from the profitable unless their owners keep an accurate production account.

COW TESTING ASSOCIATIONS.

As a means of assisting dairymen in eliminating the unprofitable cows in Michigan, the Department in December, 1905, organized the first so-

called co-operative cow testing association in America at Fremont, Newaygo County. This association is still in existence and has a membership of 30 herds with a total of 304 cows. On July 1, 1917 according to the U. S. Department of Agriculture there were 459 of these associations in the U. S. with a membership of 11,720 herds and a total of 211,966 cows being tested regularly in the associations. The total number of milch cows at this date is estimated at 23,372,200 of which 0.9 per cent

Fig. 2. Shows fluctuation and increase of dairy cows in Michigan for the period since 1910.



were numbered in these organizations. The importance of this work is becoming more and more apparent with the constantly mounting cost of feeds and labor. The first co-operative breeding association in the U. S. was also organized in Michigan in 1908 by the Michigan Agricultural College, and out of the thirty-two of these organizations in the U. S. on July 1, 1916 (later figures not available) fourteen of them were in Michigan.

DAIRY MANUFACTURES.

The total production of milk for the year was approximately 3,372,000,000 pounds, 255,000,000 pounds going into the manufacture of con-

densed and evaporated milk and milk powder, 42,500,000 pounds into ice cream, 75,000,000 pounds into cheese (all kinds) and 1,330,000,000 pounds was utilized in the manufacture of creamery butter, 657,900,000 in the making of farm or dairy butter, and 1,011,600,000 was used for cooking purposes and consumed as liquid or market milk.

The following table gives a fair estimate of the manufactured products,—butter, cheese, condensed milk and ice cream, and the value of same. It is difficult to estimate the value of farm butter, skim milk and butter milk, but the figures given are approximately correct. Fertilizer is estimated at \$15.00 per cow annually; the value of calves is not included.

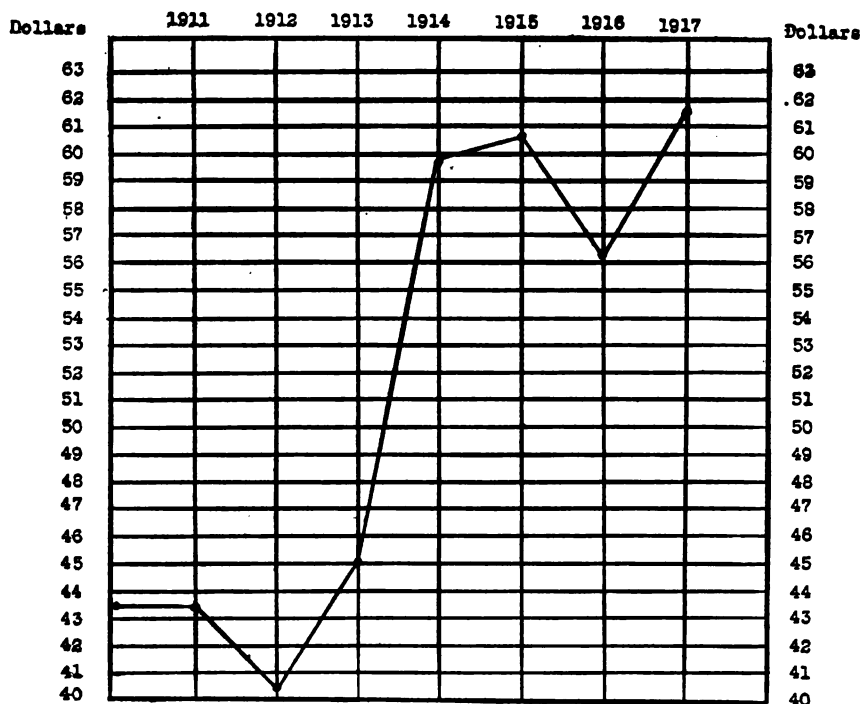


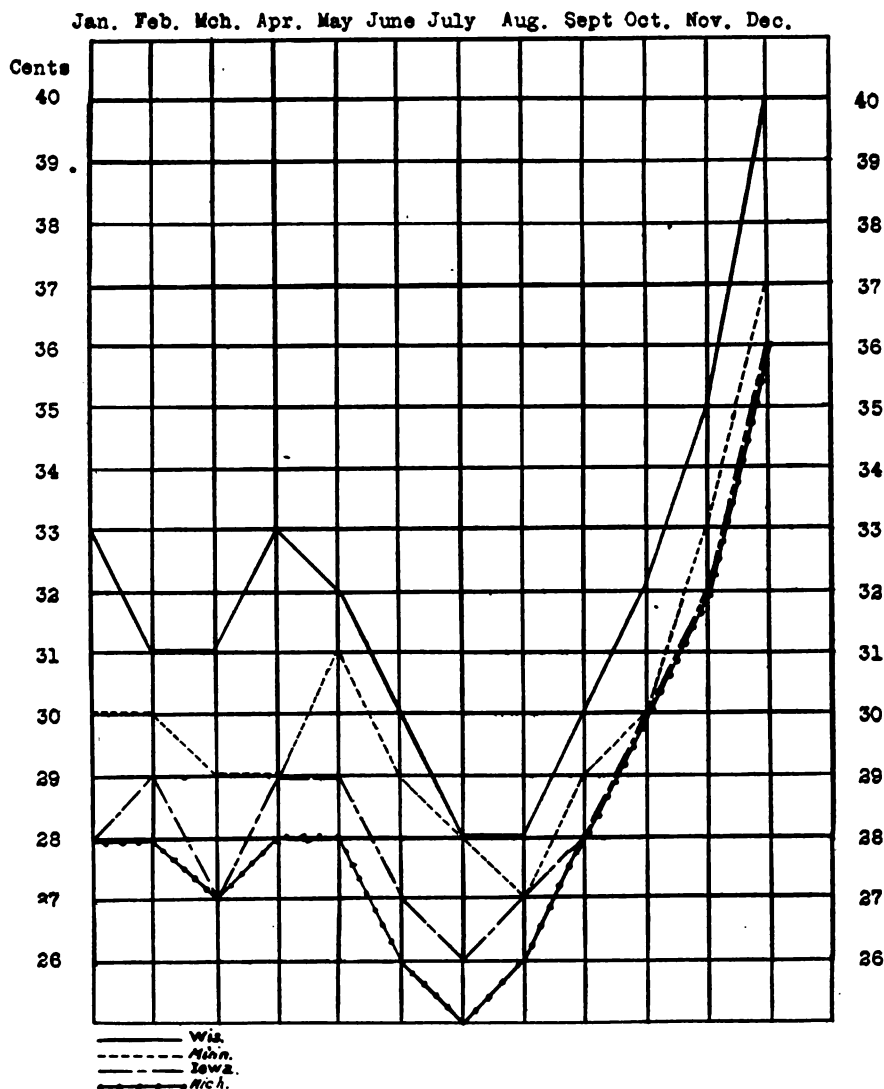
Fig. 3. Shows fluctuation and increase in the value of dairy cows since 1910.

Item.	Pounds milk used.	Pounds manufactured product.	Value.
Creamery butter.....	1,330,000,000	53,200,000	\$21,280,000
Ice cream.....	42,500,000	2,900,000	2,030,000
Market milk.....	1,011,600,000		20,232,000
Cheese.....	75,000,000	7,500,000	1,500,000
Farm dairy butter.....	657,900,000	26,316,000	9,210,000
Condensed milk.....	255,000,000	102,000,000	5,100,000
Skim milk, buttermilk and whey.....	1,623,920,000		6,495,000
Fertilizer.....			12,645,000
Total.....	3,372,000,000	191,916,000	\$78,492,680

CREAMERY BUTTER.

The creamery butter industry has enjoyed a normal growth during the year. The increase is due in the main to the constantly and fairly

Fig. 4. Illustrates price paid producers for butter-fat in Wis. Minn. Iowa and Mich.



rapid decrease in the production of farm dairy butter and better organizations of creameries many of them on the co-operative basis and the introduction of more efficient creamery practices.

Figure 4 is a graphic illustration showing the relative difference in

the price received by the producer in Michigan as compared with the price paid producers for butter fat in the states of Wisconsin, Minnesota and Iowa. The relative higher price received by the producers in Wisconsin and Minnesota is due to the fact that in these two states the farmer owned and co-operatively operated creamery predominates.

QUALITY.

There has been a noted improvement in the quality of Michigan butter during the year. This conclusion is evident from reports received from butter receivers in the Philadelphia and New York City market, where the bulk of our surplus creamery butter is marketed.

CHEESE.

The cheese industry in Michigan is rapidly vanishing, due to the rapid development of the condensed milk industry and marketed or liquid milk requirements in the territory, for which purpose milk has a higher value than if used in the manufacture of cheese.

CONDENSED MILK.

As indicated in the preceding paragraph the condensed milk industry has had a phenomenal growth. The distribution of condensed and evaporated milk plants and milk powder plants is shown by the accompanying chart, Fig. 5 showing a total of 37 condensing points as compared with eight in 1910.

Many of these plants are working on large war orders, and judging from the development of this industry in other dairy states it would be logical to conclude that there will be a very large over production of condensed milk products after the war, and this condition may mean that many of these plants both in Michigan and other states will find it difficult to market the product to advantage when the war ends, and some will therefore no doubt be of temporary nature.

INSPECTION AND EDUCATIONAL WORK.

In the inspection of dairy manufacturing plants, approximately 525 in number, as well as the inspection of dairies, the Division has continued the policy of the past. This contemplates the carrying on (together with the work of law enforcement) of such educational work as is essential and necessary to induce the production of milk and cream and manufactured products of a high quality. Practically all of the larger and many of the smaller cities in the state have enacted local ordinances governing the production and distribution of market or liquid milk thus materially lessening the work in this branch of the division's activities.

The creamery industry continues to demand much attention, and in this work the Division is continuing functioning through the various dairy organizations, principally among which is the Michigan Association of Co-operative Creameries which the Department was instrumental in bringing into being and referred to in earlier reports. I am submitting herewith an address delivered before the National Creamery Butter Makers Association by Mr. W. B. Liverance, general manager

STATE BUTTER GRADING SERVICE.

[illegible]

were not designed to provide creameries with a grading service such as present marketing conditions would seem to make desirable. The Division has from time to time called attention to the ever increasing importance of uniformity as an essential factor in the successful marketing of Michigan butter. The tendency on the part of the large dealers and especially the large storers of butter in demanding a more uniform quality has become so marked as to actually cause these dealers and storers to pay

a premium over the quotation for "extras" (92 score) for long lines of uniform low acidity 90 point butter. That this condition entails a heavy loss to many creameries in Michigan who as yet have failed to attach sufficient importance to the fact that uniformity of a staple food product such as butter is of the highest importance in successful marketing is clearly evident from the fact that large dealers and storers of butter are willing to pay a premium over the price of "extras" in order to obtain a sufficient supply of a uniform quality of butter.

It is the Divisions intention to inaugurate a State Butter Grading Service similar to that provided by the Dairy Commissioner's branch of the Alberta Department of Agriculture in order to provide what apparently constitutes the missing link in the economic chain of production, manufacture and marketing of Michigan creamery butter. The consumer has well defined individual preferences in the matter of butter values. Our distributing machinery caters to such preferences. The division in its butter grading service will endeavor to interpret and express these preferences to the creameries who may in turn receive their raw material on a grade basis, based on these marked preferences.

I am submitting herewith proposed rules and regulations that are to govern the service above referred to and to become effective September 1, 1917.

RULES AND REGULATIONS.

1. *Samples.* Representative samples, one from each churning, packed in a standard package holding five pounds net weight of butter (style of package to be determined later) shall be used in the scoring, grading and classifying of creamery butter under the new service.

2. *Accumulating, Storing and Marking of Samples.* Sample packages shall be permitted to accumulate in the creamery refrigerator until butter is shipped, when they must be promptly forwarded to the grading station designated by the department, and the department notified by card provided for that purpose, giving the number of samples in the shipment and the markings on same which must always be the same for identification purposes, as the markings on the entire number of packages packed from the churnings from which the samples were procured. Creameries who have made formal application for the service will be provided with further instructions as to the system of marking to be used. Rubber stamps for this purpose will be provided by the department at cost.

3. *Time of Grading.* On receipt of samples at the grading station sufficient time will be permitted to elapse approximating the time the butter which these samples are reported to represent is in transit, in order that the samples may be as near the same age and condition as the butter when it reaches the market.

4. *Grading Rules.* In scoring, grading and classifying butter under the service cognizance will be taken of the market grades established by the various wholesale produce organizations in the different markets. In this connection it is hoped that the matter of uniform scores, grades and classifications now before the produce exchanges of the large butter centers such as New York, Chicago, Philadelphia and San Francisco will be adopted as this would facilitate the work greatly.

5. *Score Cards and Grade Certificates.* These will be forwarded to the creameries promptly and the samples held in storage for a period of

four weeks (unless sooner released) in order to facilitate the settlement of possible disputes between the creamery and the receiver as to the grade of the butter which these sample packages represent.

(NOTE) In this connection it is understood that the service is performed at the request of the creamery and the department assumes no liability in any matter or dispute that may arise between the creamery and the receiver. The department will however forward to any given address upon the written request of the creamery and at the creamery's expense any specified sample or samples together with a copy of the grade certificates covering such sample or samples.

6. *Proceeds.* After holding the samples for four weeks as provided in paragraph five, they will be sold by the department for the creamery's account, the department endeavoring to secure a price that will represent the full relative market value of the butter and the proceeds, after deducting the cost of transportation, if any, paid by the department, will be forwarded to the creameries.

7. *Application for Service.* Creameries are required to execute a formal application on receipt of which detailed information as regards packing, marking and shipping of the samples will be forwarded to the applicants.

The service as outlined by the foregoing rules and regulations has been endorsed by the National Creamery Butter Makers' Association and also the National Dairy Science Association and is generally heralded as the most constructive plan of improving the quality and uniformity of American butter. The machinery thus set up has also been found essential to the more complete development of the "State Brand" for butter, and also for the purpose of strengthening the work of federating our small creameries into district units organized for the purpose of collective effort in production, manufacture and marketing.

SPEAKERS SUPPLIED, ETC.

The Division has supplied a demand for speakers from the Department at Dairy Picnics, Farmers' Institutes, creamery meetings and Dairy Conventions as in former years. Assistance has been given in the organization of co-operative creameries and market milk plants. In certain instances blue prints have been furnished for creameries and other standard dairy construction work and a uniform accounting system encouraged.

PUBLICATIONS.

A number of circulars pertaining to the various phases of production, distribution and marketing of dairy products were issued during the year and a special bulletin dealing with the cost of milk production and distribution, and the food value of milk and its products is now in course of preparation.

RECOMMENDATIONS.

With the constantly increasing demand for assistance in the various branches of the work of the Division, it is deemed advisable to recommend that at least two additional expert dairy field men be employed in order that the Division may cope efficiently with the various problems growing out of the war and affecting the dairy industry.

Legislation is recommended in the nature of a license law which shall provide that all creameries, cheese factories, condensaries, milk and

cream depots, market milk plants and all other dairy manufacturing plants be required to obtain a license from the Department, said license to be subject to revocation by the Department upon non-compliance of the provisions and conditions upon which the license was issued.

It is also recommended that a law be passed providing that all operators of the Babcock Test used in determining the per cent of butter fat in milk and cream be required to submit to an examination and procure a license from the Department and which license it is recommended be subject to revocation upon evidence that the test was falsely or inaccurately made. This legislation is deemed essential in order to permit the Department to cope efficiently with the various problems and provisions of law regulating the production, manufacturing and marketing of milk and its products in the State.

Respectfully submitted,
H. D. WENDT,
In Charge Dairy Division.

List of participants in the monthly educational butter making tests conducted by the department, together with their respective ratings in the several divisions for the six months period ending August 1, 1917. Those receiving an average score of less than ninety are omitted.

Column (1) Commercial Division, (2) Judgmentship, (3) Analysis, (4) Composition, (5) Method Report, (6) Average.

SIX ENTRIES.

		1.	2.	3.	4.	5.	6.
John McDonald.....	Hemlock.....	90.87	98.12	92.74	96.43	95.50	94.76
C. J. Wilson.....	Hudsonville.....	91.16	95.75	94.46	95.60	94.50	94.25
F. C. Palmer.....	Remus.....	91.00	97.42	91.60	93.28	94.71	93.52
Jesse Norgaard.....	Burnips Corner.....	90.55	94.72	90.25	94.36	94.88	92.80
Wm. W. Reed.....	Brown City.....	89.16	91.83	93.63	94.80	94.96	92.76
Floyd Hendershot.....	Montgomery.....	92.25	94.58	90.08	90.96	93.50	92.23
Roy Sleyster.....	Iron Mountain.....	89.91	95.08	85.03	93.23	92.73	91.19

FIVE ENTRIES.

Julius Dystra.....	Hudsonville.....	91.30	96.70	95.20	95.15	94.20	94.50
H. C. Houlding.....	Holton.....	90.40	94.00	94.12	96.76	95.00	93.75
H. C. Jochumsen.....	Bark River.....	91.30	92.80	93.88	94.88	96.00	93.57
Jesse W. Cobb.....	Lawrence.....	92.30	94.50	92.46	92.68	92.40	93.26
Fred Bassett.....	Shelby.....	90.05	94.27	92.08	91.45	93.72	92.68
Abel Westra.....	Fremont.....	90.00	93.00	88.93	93.36	93.60	92.12
John Vugteveen.....	New Era.....	90.80	94.80	87.52	91.36	92.60	91.42
Roy Hoyt.....	Schoolcraft.....	88.10	92.90	91.38	90.72	92.40	91.10
C. C. Foster.....	Jones.....	88.50	89.40	92.76	93.24	90.80	90.41

FOUR ENTRIES.

Percy Penfold.....	Nashville.....	90.68	96.56	94.20	93.75	93.50	93.78
H. A. Bowman.....	Hudsonville.....	92.00	97.00	92.35	91.35	94.25	93.39
Howard Omstead.....	Saranac.....	90.62	92.75	92.85	96.30	92.25	92.95
Simon Gale.....	Caledonia.....	90.87	93.75	88.70	92.50	92.25	91.70
H. J. Stickley.....	Clarksville.....	92.25	90.00	89.95	93.20	90.75	91.21

THREE ENTRIES.

		1.	2.	3.	4.	5.	6.
L. F. Hammond.....	Devereaux.....	90.83	99.50	93.80	97.13	94.66	95.18
D. H. Brown.....	Freeport.....	90.91	96.75	90.10	96.20	94.00	93.59
O. G. Truax.....	Parma.....	90.50	95.00	91.80	96.00	94.66	93.56
Otto Klee.....	Fowler.....	89.00	92.00	94.23	96.80	93.33	93.08
G. C. Whitney.....	North Branch.....	90.50	92.66	93.80	94.53	93.00	92.90
A. A. Vanette.....	Reeman.....	90.75	92.75	95.20	92.26	94.33	92.89
R. A. Langdon.....	Coral.....	88.16	90.00	94.29	93.06	94.33	92.66
H. T. Chandler.....	Holland.....	92.66	92.83	92.73	94.15	90.66	92.60
A. A. Best.....	Osseo.....	90.16	93.16	89.93	95.20	94.00	92.48
Aug. Smith.....	Dorr.....	91.58	93.41	88.26	95.46	92.00	92.14
F. C. Mergenthaler.....	North Adams.....	90.00	91.66	90.26	93.00	93.00	91.78
Floyd Hart.....	St. Louis.....	89.33	88.66	90.80	94.46	93.66	91.39
Geo. Meyer.....	Zeeland.....	91.83	94.66	83.46	91.73	93.00	90.94

TWO ENTRIES.

P. Damgaard.....	Quincy.....	89.50	94.00	93.70	95.10	96.50	93.46
H. F. Vickers.....	Cass City.....	90.50	94.75	91.00	94.10	93.50	92.77
J. A. Sawyer.....	Amble.....	90.50	93.62	93.10	91.00	93.50	92.34
H. F. Pickens.....	Lowell.....	91.25	94.25	92.00	92.50	91.50	92.30
Frank Emerson.....	Litchfield.....	91.50	91.00	89.80	92.60	95.00	91.98
E. E. Smith.....	Shultz.....	89.75	85.75	92.80	93.30	94.40	91.40

ONE ENTRY.

A. Anderson.....	Grand Rapids.....	91.50	97.00	96.40	97.00	96.00	95.58
Frank Wilthy.....	Mulliken.....	91.00	97.00	95.80	98.80	95.00	95.52
J. P. Neilson.....	Pigeon.....	91.50	98.50	94.80	93.80	95.00	94.68
D. J. Hoffman.....	Delton.....	91.00	97.00	95.80	92.80	96.00	94.52
H. J. Sasa.....	Detroit.....	92.00	94.00	92.20	97.40	95.00	94.12
Louis Wehrle.....	Marshall.....	92.00	100.00	91.60	93.60	93.00	94.04
B. Schmidt.....	Holton.....	91.00	94.00	94.60	95.60	94.00	93.84
R. G. Walker.....	Dowagiac.....	88.00	89.50	94.60	97.20	95.00	92.86
A. L. Brown.....	Alto.....	91.60	98.50	88.00	90.00	96.00	92.80
C. N. Hubbard.....	Middleville.....	91.50	90.00	95.80	94.00	92.00	92.66
Fred Wilson.....	Ravenna.....	89.00	88.00	92.80	90.00	93.00	92.56
Henry Lang.....	Coopersville.....	90.00	94.00	87.70	95.20	95.00	92.38
W. A. Parrot.....	Coleman.....	89.00	90.00	96.40	92.40	93.00	92.12
Chas. Bosch.....	Hudsonville.....	88.00	85.00	93.40	98.80	95.50	92.04
L. E. Seelye.....	Hopkins.....	91.00	94.00	87.70	93.40	93.00	91.82
E. J. Schwanbeck.....	Utica.....	92.50	90.00	90.00	93.60	90.00	91.22
Ruth Creamery Co.....	Ruth.....	92.50	90.00	90.00	90.40	90.00	90.58
A. B. Winters.....	Henderson.....	89.00	90.00	90.00	92.80	90.00	90.36

Many of us who are attempting to secure results as managers of co-operative organizations have arrived at the conclusion that practically all co-operative efforts are problems. I sometimes wonder if individuals in other lines of work meet with so many perplexing and discouraging problems as does the person who is attempting to cement together individual farmers into a cooperative organization so that the strength of that organization may become such that there will not be the constant fear of its disintegration. The manager of a co-operative organization must necessarily work for two purposes, viz., primarily to get the results that he is supposed to get and, secondarily, to keep his organization intact. Either purpose is difficult enough, but if both are burdening a man he surely has more than his share of troubles. One might naturally infer that I am somewhat pessimistic regarding co-operative efforts but I hope to impress you with the fact before I am done that I am as yet optimistic about real co-operation and feel that when the farmers of the country get used to the idea and learn to understand the first principles of co-operation then will the work of the co-operative organization manager become less discouraging.

There is no need for me to dwell for any considerable time on the general subject, co-operation. Thinking people are quick to see that great results can be accomplished through unselfish mutual assistance. A great army is a wonderful example of what real co-operation can do. We will suppose that each soldier in the French army could have laid aside army discipline and acted according to the dictates of his own individual judgment which might have been tempered by selfish motives, personal whims or narrow-mindedness. Do you suppose that the people of France would ever have celebrated the victory of the Marne had such been the case? Great results were accomplished by the French at the Marne but it was only because the forces of the French were a working unit that the enemy was driven back. How insignificant we as individuals are but how great is our massed strength when all our forces are united into a single unit with a definite purpose. The cable which can lift the weight of tons when examined in cross section is found to be made up of numberless strands, one of which could possibly bear without breaking the weight of a fraction of a pound but each of those strands when reinforced by thousands of its companions helps to bear its part of the burden of tons.

INDIVIDUALS ARE POWERLESS.

Farmers as individual producers and marketers on the average have very little influence from an economic standpoint. The world could exist and be fully as well fed as ever were the output of one farmer denied it. The handler of produce cares very little for the individual who attempts to secure better results by protest. How great, however, is the united strength of the farmers of the state when once they are aroused and see the possibilities of co-operation. North Dakota at present is a living example of what can be done through co-operation. We, of course, are intensely interested to watch the accomplishments of the farmers of North Dakota. Possibly we may be greatly disappointed in the results obtained but we do know of the possibilities, even though through possibly wrong direction, anticipated results are not obtained.

Throughout the dairy sections of the middle west farmers' co-operative creameries have been uniformly successful. It is true that a decade or two ago many farmers' stock company creameries did fail. To this day we hear echoes of those failures even though since that time it has been clearly demonstrated that farmers can successfully co-operate. A majority of the failures of co-operative creameries were due to wrong organization, poor management and premature efforts in the direction of co-operation before the first principles of it were understood.

Co-operation in late years has nearly come into its own. Looking through the middle west we see hundreds, yes thousands of farmers' co-operative ventures which are being conducted successfully. Particularly do we see hundreds of very successful co-operative creameries, co-operative elevators, co-operative selling and buying associations either working through their own organizations or as adjuncts of the Gleaners, the Grange, or the Society of Equity. Surely farmers as a whole are beginning to realize some of the possibilities of working together. Of late years there has been a tendency for various co-operative organizations working along the same line to co-ordinate their forces and get the

greatest benefit possible from a still wider co-operation. That of necessity means still greater possibilities but it requires a broader conception of the principles of cooperation on the part of those composing the organization to make the effort successful. In Michigan we have been working with a federation of co-operative creameries for about eighteen months and it is of that federation, known as the Michigan Co-operative Association of Creameries, of which I am to speak in particular. I am going to speak freely and frankly of my work with that organization and possibly more of my statements may sound somewhat pessimistic, but I believe it best to consider both the pleasant and unpleasant sides of the question for the benefit of some here who may possibly be connected with such an organization at some time in the future.

ORIGINATED IN FOOD DEPARTMENT.

The idea of forming a federation of co-operative creameries in Michigan was conceived by the Michigan State Dairy and Food Department. Its representative worked diligently for several months to get creameries in the vicinity of Grand Rapids interested in such an organization. Eventually because of persistent and consistent efforts of the Dairy and Food Department force, twenty creameries within a radius of 45 miles of Grand Rapids were federated into an organization which was duly incorporated as a non-capitalized, non-profit sharing corporation. After a delay of some time a manager for the Association was hired and he began work April 1, 1916. Previous to that time two of the creameries had decided that they did not wish to remain members of the organization and in consequence withdrew, so the membership of the association at the beginning of active work numbered eighteen.

The original idea was to federate the creameries in the state into units of about eighteen or twenty creameries each so that one field man could have charge of one unit and visit each creamery at fairly regular intervals. It was found, however, that the idea was somewhat impractical in Michigan as our creameries are so widely scattered, hence instead of organizing other units creameries have united with the first unit and today we have a membership of thirty-five creameries. Instead of one man being manager, field man and stenographer, we now have a manager who is also a field man, an additional field man and a stenographer. Instead of hiring desk room we now have very pleasant offices. Those changes have made us feel that we have had a fairly healthy growth during the first year of our existence.

I wish to state at this point that had it not been for the generous assistance of the Michigan State Dairy and Food Department it is very doubtful if our Association would have had such a healthy growth. It has been a constant up-hill fight from the first and at times very discouraging, but we have managed to weather the storm up until the present time and are hopeful that the organization may remain intact for all time in the future.

MEMBERSHIP AND FINANCES.

Some here may possibly be interested in the way our association is financed and how its membership is held together. When a creamery

expresses a desire to become a member of the organization it is required to sign a membership agreement whereby it agrees to support the association for one year paying into the treasury of the association one mill for each pound of butter sold. That mill tax while relatively small assumes the proportion of a mountain to many creamery managers, and even though we point out that to each creamery patron it would not aggregate more than one dollar per year the assessment still remains the chief point of contention. During the first year of the association's existence the mill tax secured us ample funds, but because of a considerably increased expense and because the output of Michigan creameries has been below normal this season, we have been obliged to accept assistance part of the year from the Dairy and Food Department. The additional field man at the present time is a member of the Dairy and Food Department force. However, we are well on the road toward a firm financial foundation and hope that we may soon be again self-supporting.

MUCH CAN BE ACCOMPLISHED.

The active work of the association was started with a bundle of theories as the only asset. Federations of co-operative creameries were practically unknown and we were forced to originate our ideas and work them out as we saw them. Theoretically we saw where by federating a number of creameries and securing a certain income a field man could be employed to work with each creamery to increase its efficiency; we saw how the quality of butter of each creamery could be improved and be brought to more nearly approach uniformity; we saw how by working with individual patrons of the creameries much could be done to improve the quality of milk and cream delivered to the plant; we saw how by buying factory supplies collectively we could save the creameries a considerable amount of money; we saw how creameries that were not already helping their patrons to purchase feeds, coal, flour, etc., could save their patrons a considerable sum of money by purchasing them in carload lots; we saw how we could by combining the output of our plants eventually work out our own marketing scheme; and we saw how by carrying out all the ideas which we had in mind we could secure a greater reputation for Michigan creameries and at the same time show co-operative creameries in other states why they too should join themselves together for mutual assistance and benefit.

It is needless to state that we have not accomplished as yet all that was set out to do. We have tried out practically all things we had in mind at the outset and many others. With many of the things we have attempted we have been very successful, with others we have had partial success while with others we have failed as yet. Of course we are determined that we shall eventually carry out all our plans which are really worth while, but as I pass on I shall attempt to show why some of our efforts have not been so successful as they should have been and I shall place emphasis on some mistakes that have been made in order that others who may take up a similar line of work may profit by our mistakes.

At the outset many of our creameries were in bad sanitary condition and realizing that efficiency starts with sanitation an effort was made to

get as many as possible to improve their plants. The result was that about fifteen of our eighteen original creameries painted the interiors of their plants. I might state here that we conceived the idea of a uniform color scheme for the interiors of our creameries and practically all of the original members adopted it. In addition to painting many of the plants, repairs ranging from simply patching up poor floors to a complete building over of the whole interior of the plant were made. One creamery decided that its old building was beyond repair and built a modern new plant. In fact during the first few months most of the creameries underwent a complete renovation and came out in as good sanitary condition as one could wish. That condition has continued up until the present and stands out as one of the worth while results that have been obtained.

OVERRUN TOO LOW.

We next found that many of the creameries were not getting the results that they should. For instance in many the overrun was low. By working with the buttermakers and pointing out to them the factors which influence overrun we were able with very little difficulty to bring the overrun up in each creamery where it was low. In one or two instances failures were averted by assisting the creamery to bring its overrun up to a reasonable percentage.

One could go into considerable detail in citing examples where creameries have made savings by following out suggestions that were made them. Some of the larger creameries are saving as high as one hundred dollars each year on salt. We have found some creameries using too much fuel, others losing too much butterfat, others employing too much labor, in fact there is hardly a problem in creamery efficiency with which we have not been confronted. We never have hesitated to make suggestions where we have seen that they were called for and as a result feel that our field work among the creameries has brought excellent results on the whole. We believe that still greater results would have been secured had our suggestions been carried out in each instance. Our work is merely advisory and our advice is oftentimes unheeded, but it is a noticeable fact that those creameries which are slowest to follow suggestions are those which are getting the poorest results and they invariably are the ones which kick the hardest about the results that are being obtained by the association.

The quality of the butter in many of our creameries has been materially improved as the result of our efforts. Quite a high percentage of the butter showed poor workmanship at the outset, some of it being mottled, some leaky, some overworked, etc. We have in every instance showed the buttermaker how to overcome his difficulty with the result that the workmanship of the butter from our creameries has improved very materially. Working with a large number of creameries one meets with practically every problem found in the creamery, and it need only be said that where we have found a creamery in trouble we have done our best to discover and remove the cause of the trouble. In the majority of instances where we have been allowed to carry out our plans we have succeeded.

CHURN RECORDS ESSENTIAL.

We find it is somewhat difficult to get creameries to make a uniform butter from day to day. In many creameries altogether too much guess work is practiced to get uniform results. To eliminate guess work we have attempted to get buttermakers to keep daily churn records. Invariably we find those keeping such records make a much more uniform piece of butter than those which do not. Uniformity of product is such a necessary qualification for a high class creamery that one would suppose creamery managers would insist that buttermakers keep accurate daily records, but we have found several managers who fail to see the merit of the daily record. That is, however, only one of the many peculiar and interesting problems that one meets in working in an association of the nature of ours.

It has been a physical impossibility to work with the patrons of our creameries to any great extent in an effort to improve the quality of the milk and cream delivered. One who must visit eighteen to twenty creameries at more or less regular intervals has very little time to spend driving country roads to talk with individual farmers in regard to the quality of their cream. That is without doubt a very essential thing to do, but about all we have been able to do along that line has been to prepare one or two circulars which have been sent to the creameries for distribution and to impress on farmers at meeting the value of clean and wholesome milk and cream for buttermaking purposes. We have not been satisfied with the results secured along that line, but we hope that more may be accomplished in the future than has been to date.

In the matter of buying creamery supplies collectively we have not secured the results that we had anticipated. Our creameries as a whole have not responded readily to buying supplies together and we have been handicapped in buying in that our organization is not capitalized. However, we have been able to get our creameries exceptionally good prices on several such staple articles as salt, parchment paper, washing powder, etc. I am frank to confess that supply houses do not encourage co-operative buying and some have been known to have deliberately worked against us because of our efforts in that direction. We believe that much can be done along the line of buying supplies co-operatively and we hope to demonstrate that our theory is a sound one, in the near future. Much greater results could be obtained if our association were capitalized and if supplies could be bought in quantities and stored in a warehouse at a central point and distributed from there.

Several of our creameries have been purchasing feeds, coal, etc., for their patrons for a period of years. This year some of the others have started doing so. We have advocated this since the beginning of the association work and hope that eventually all our creameries will do so. We have acted as purchasing agents for some of the creameries in the securing of feeds, coal, etc., and have saved some of the plants considerable money. There is no question but that much could be done to effect a great saving among the patrons of a creamery along this line if creameries would only do so and a still greater benefit would result if all the creameries would unite forces in buying in large lots. We can not expect, however, to put all our ideas into practice at once, but must be patient hoping that all will come out as we would have it at some time in the future.

DISTRIBUTION PROBLEMS.

The one great idea in organizing our association was to, by combining the output of our creameries and by improving the quality secure better markets for our butter. We at the outset, had many wild theories of distributing butter direct to the consumer, of perfecting a marketing system in many of the larger cities, of eliminating the middleman completely, etc. We were in the class of many of the impractical theorists of today. We worked out schemes of house to house disposal of butter, of distributing butter direct from the creamery to the retailer, and many others of similar nature. It took us a year or better to realize that it takes money to market butter in the ways which we had in mind and our eyes were opened to the fact that a non-capitalized concern could not put up much of a show in competing with those concerns which were already established in the butter distributing business. We then attempted to interest men with some capital in a butter marketing scheme in Detroit, but just as we had an organization perfected the high price of all commodities along with other factors caused those who were interested to reverse their opinions in regard to the prospects of a butter selling organization and we were back where we started from.

About that time the Navy Department was clamoring for butter and we persuaded nine of our creameries to enter bids for contracts. The result was that those creameries have had a market all summer for their butter at an average price of about three cents above the top New York quotation for "extras." As none of those creameries had previously made butter for the Navy we consider that the association was responsible for the Navy contracts. Those contracts have meant about \$15,000 extra to those creameries which were fortunate enough to get in on them.

Temporarily, but only temporarily, we have abandoned the idea of a direct distributing system for our butter. We are now working on the scheme of combining the output of three or more creameries and shipping in car lots to some one consignee. The results to date have been very satisfactory although we have not as yet made enough shipments to draw any definite conclusions. We are positive, however, that if we can have the earnest co-operation of our plants we can show them real results by handling their butter in this way. The changing of a well established marketing system is something that can not be done over night and I venture to remark that some time will elapse before we get all the results we would wish along that line.

COTTAGE CHEESE ADVOCATED.

In addition to the above accomplishments we have through the assistance of the representatives of the Federal Dairy Division interested some of our creameries in the manufacture of cottage cheese. Nothing that can be estimated has as yet been accomplished along that line, but some of our whole milk plants are giving the matter serious consideration. Condensery competition has grown so acute of late that in order to meet it creameries must resort to the manufacture and disposal of by-products or else be forced out of business. In preparing and disposing of by-products creameries will also have the satisfaction of knowing that they are doing a patriotic duty at this crucial moment in the history of our country.

We have been presenting to our creameries the necessity for better accounting systems than most of them have at present. We were very fortunate in securing the co-operation of the U. S. Bureau of Markets which has furnished us with an accountant to install its system of uniform creamery accounting in our plants. This accountant is headquartered temporarily in our state and has already been instrumental in installing the system in about ten creameries. We hope that the majority of our creameries can be persuaded to put in the system in the near future, and I wish to remark at this time that any creamery, whether in Michigan or elsewhere, is very backward if it will not avail itself of the opportunity of assistance from the Bureau of Markets in installing that bookkeeping system in its plant. The system is simple and complete and a creamery can not afford to be without it.

It goes without saying that in the course of our work with our creameries we have made many mistakes. As we look back we can see where we might have been somewhat more diplomatic in dealing with certain situations, where we could have used better judgment had we but had our present experience when the work was started, but we console ourselves with the fact that we are here to live and learn and that in any new line of endeavor we must creep before we can walk. I feel that the most serious mistake that was made was to promise our creameries results before we had our schemes well worked out. In some instances the results were not forthcoming which necessarily caused dissatisfaction on the part of some. We have found that in work of this kind it is better to make no promises, but to let results speak for themselves.

In working with thirty-five different creamery organizations one necessarily learns a considerable about human nature. We find many broad-minded men who are open for conviction in regard to new ideas, and we find many who are not so broad-minded. Our work being merely advisory means, as I have stated before, that many of our suggestions are not carried out in some of our plants. In others practically everything we do suggest is put into practice. It is quite noticeable that those creameries which get the best results are those which are willing and anxious to put new ideas into practice. We are more or less openly criticised by some of our creameries, but it is a most noticeable fact that criticisms come from those creameries which are unwilling to co-operate to the fullest extent in the work. That situation is one that all workers in co-operation have to meet and it will undoubtedly continue until the Day of Judgment, because human nature will always remain as it is today.

SMALL ORGANIZATIONS BEST.

It would be well to mention something regarding the size of creamery federations for best results. Comparing the work so far this year with that of last I feel that better results can be obtained with federations just large enough to employ one man than where they are any larger. With the increase in size of the organization comes a greater abundance of office work which prevents the manager giving as much individual attention to each of the creameries as he should. We have a most excellent second man in our organization, but I feel that work of the nature of ours can be best done in small organizations. There should be, however, a co-operative relationship between the several organizations, if there are a number in the state.

The principle of federation of co-operative creameries is right regardless of what obstacles must be overcome in getting the work under way. Small creameries stand small chance of prolonged existence if they do not organize to strengthen their position in the buttermaking world. Competition is growing keener each and every day and while originally that competition was confined principally to the patronage of the creamery, today it is felt more keenly at the end where the butter is marketed.

Individually one creamery stands for very little, collectively small creameries can make their influence strongly felt providing they co-operate in the strictest meaning of the word. I have found that many creameries think that co-operation consists merely in joining an organization, that the other fellow must do all the work. Those creameries are not getting the benefit that they should. A creamery to get the maximum amount of benefit must put something into the organization besides money; it must stand by the work that is being done and do something on its own initiative to help the work along.

We find that some of our creameries have the attitude that they are conferring a favor upon someone by belonging to the association. The organization was perfected for the benefit of the creamery and unless the creamery considers it in that sense it will not get the benefit it should. Jealousy of a neighboring creamery, even though both creameries are members of our association, has proven one of the obstacles of our work. Unselfish co-operation will pay a creamery eventually, and unless it is willing to co-operate in that way it had better remain on the outside of the fold.

Creameries must not expect great immediate results from membership in a creamery federation. The work is of considerable magnitude and is of such nature that it can not be accomplished in one or two years. Many of our creameries had an entirely wrong conception of what was supposed to be accomplished in our work, others had no conception at all. We who have had the work to do have had to act as pacifiers in many instances because of mistaken ideas regarding our functions.

I hope that I have given you a fairly good account of the work we have done in Michigan along the line of federation of co-operative creameries, and feeling that it is time to conclude my remarks I wish to close by placing emphasis on a few points which I believe should be considered in organizing associations of creameries:

1. Do not accept memberships in the organization for a period of less than two years as it takes time to get results and each creamery which drops out at the end of the first year acts as a handicap in the future work.
2. Give your organization field force more than advisory authority over the creamery as it can not get results without its suggestions being carried out.
3. Do not accept creameries into the organization which will not co-operate to the fullest extent in the work.
4. Do not make your organization too large. Better results can be accomplished with a field force of one man, than more.
5. Above all things start your organization with faith in its ultimate accomplishments, as faith is absolutely essential for its complete success.

ADVANTAGES OF HIGH TESTING CREAM.

BY H. D. WENDT.

A survey conducted by the Department reveals the fact that the average test of cream received at our Michigan creameries is approximately 27% butter fat. No advantage can be gained by skimming cream to the above consistency. Any standard separator, if properly operated, will skim a 40% cream as efficiently as it will skim a 20 or 25% cream.

The advantages of high testing cream are mutual to the farmer and the creamery. The advantages to the farmer may be summarized as follows: 1. High testing cream does not sour as quickly as low testing cream. 2. A larger amount of skim milk can be retained on the farm for feeding purposes. 3. The bulk is reduced, thus lessening the cost of transportation. 4. On account of the smaller quantity obtained from a given quantity of milk, there is less cream to be cooled.

The advantages to the creamery: 1. High testing cream reduces the quantity of raw material to be handled, thus reducing the operating expense. 2. High testing cream can be manufactured into butter with a smaller loss of butterfat in churning. 3. High testing cream enables the butter maker to control the flavor of the finished product to better advantage. 4. Cans in which the cream is delivered are reduced in size and number, thus reducing the labor in washing and sterilizing.

These points are all of great importance in making both the production and manufacturing of dairy products more profitable. Cream testing 35 and 40% butterfat is a big step in the direction of a better quality of butter.

As above enumerated, thin cream testing 25% butterfat will sour much quicker than will cream testing 35 or 40% butterfat. The souring of cream in the proper manner for butter making purposes is desirable for butter going into immediate consumptive channels but this souring or ripening process should be carried on at the creamery where it will be under the control of the butter maker. During the storage season, it is preferable to churn the cream sweet owing to its better keeping quality. Skimming a high testing cream enables the producer to deliver his cream to the creamery sweet, thus enabling the butter maker to make butter of a higher grade and according to market requirements, which will sell for a higher price and enable the creamery to pay the producer more money for the raw material.

To Milk and Cream Producers:

The 1915 session of the Legislature passed the so-called State Brand Butter law, creating a commission of three members empowered and directed to issue rules and regulations, compliance with which entitles Michigan creameries to use the State trademark in connection with the manufacture and sale of their butter.

According to reliable statistics, Michigan creameries manufacture approximately 50,000,000 lbs. of butter annually, of which amount only

about 15% grades "Extras" (the top grade quoted on the markets). There is an average range in the market price between "Extras" and "Seconds" ("Seconds" being the lowest grade of creamery butter quoted) of five cents per pound. Butterfat going into the manufacture of "Seconds" when drawn from the cow is of as good quality as that going into the manufacture of butter grading "Extras." Lack of proper care prior to delivery at the creamery is the cause of the loss in quality, amounting to approximately \$1,625,000.00 to the producer annually if figured on the basis of 15% of the butter made in our Michigan creameries grading "Extras," 40% grading "First" and 45% grading "Seconds."

The loss is practically all borne by the producer, the creamery being obliged to pay for butterfat according to the selling value of the butter in the markets. The object of this letter is to point out the desirability of producers of butterfat co-operating with the creamery by furnishing raw material of such quality as will comply with the State requirements.

Information relative to the handling and care of milk prior to delivery at the creamery may be had through the medium of this Department. Furnishing the creamery with such a quality of milk or cream as will enable it to maintain the State standard should result in a substantial increase in the price of butterfat, due to the fact that the creamery is enabled to market its product to better advantage under the State Brand.

CREAMERIES AND CHEESE FACTORIES

REGISTERED CREAMERIES, CHEESE FACTORIES, SKIMMING STATIONS, RECEIVING STATIONS, CONDENSED MILK FACTORIES AND MILK DEPOTS.

FOR THE REGISTRATION YEAR BEGINNING APRIL 1, 1917.

ALCONA COUNTY.

Name.	Owner or Manager.	Postoffice.
Spruce Valley Creamery Co., Cream Station (Mikado)	Servius Beck, Mgr., Seidel Creamery Co.,	Spruce. Bay City.

ALGER COUNTY.

Milk Depot (Rumley) Winters Cheese Factory,	H. W. Crawford, Edward Fehrmann,	Rumley. Winters.
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ALLEGAN COUNTY.

Pullman Cream Station, Otsego Creamery Co., Wayland Condensed Milk Factory, Hopkins Cheese Factory, Hamilton Skimming Station, Kellogg Butter Co., Oakland Creamery Co., Shelbyville Cream Station, Salem Creamery, Benthelm Creamery Co., Dorr Creamery, Merson Cream Station, East Saugatuck Creamery Co., Pullman Cream Station, Daisy Creamery Co., Fillmore Center Creamery, New Salem Cheese Factory J. D. Myers Milk Depot, Pearl Creamery, Creamery, V. J. Barnes, Mgr., Moline Cream Station, Pullman Cream Station,	Bishop Creamery Co., C. I. Curry, Mgr., Helvetia Milk Con'g Co., M. W. Hicks, Phenix Cheese Co., H. H. Blaine, Jacob Vredevelde, Michigan Butter Co., Jesse Norgaard, Albert Smoes, Jr., Mgr., August Smith, Gobleville Creamery Co., Henry Mannes, Mgr., Holland Crystal Creamery, Henry H. Tlen, Mgr., Fillmore Center Creamery Co., Farles Milk Co., 100 Rose St., J. D. Myers, L. M. Hoyt, Lessee, Martin Dairy & Produce Co., Sanitary Milk Co., Sanitary Milk Co.,	Buchanan. Otsego. Highland, Ill. Hopkins. Zeeland. Allegan, R. 7. Zeeland, R. 3. Kalamazoo. Burnips. Hamilton, R. 1. Dorr. Gobleville. Holland, R. 3. Holland. Holland, R. 8. Holland, R. 5. Grand Rapids. Saugatuck. Pearl. Martin. Grand Rapids. Grand Rapids.
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ALPENA COUNTY.

Bolton Cream Station, Dafoe Cream Station,	Seidel Creamery Co., Seidel Creamery Co.,	Bay City. Bay City.
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ANTRIM COUNTY.

Mancelona Cream Station,	Sam Wisler,	Mancelona.
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ARENAC COUNTY.

Omer Creamery, Standish Cream Station, Cream Station, Standish Milk Products Plant, Sterling Cream Station, Worth Cream Station,	D. Henry, Jr., Mgr., Fox River Butter Co., Fred Metevia, International Milk Products Co., Towers Wayne County Creamery, Seidel Creamery Co.,	Omer. Detroit. Pinconning, R. 3. Detroit. Detroit. Bay City.
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BARAGA COUNTY.

Farmers Creamery Co., Skaneec Cream Station,	K. H. Kananen, Mgr., Bridgeman Russell Co.,	Pelkie. Hancock.
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STATE OF MICHIGAN.

BARRY COUNTY.

Name.	Owner or Manager.	Postoffice.
Hastings Cond. Milk Factory, Middleville Creamery,	Grand Ledge Milk Co., Middleville Cooperative Co-partner- ship Creamery Assn., Ltd., F. G. Hyner, Mgr., A. M. Smith & Co., C. W. Pennock, Mgr., W. O. Chamberlain, Mgr., Fox River Butter Co., Towards Wayne County Creamery, Sherk & Mackey, Props., A. Anderson, Mgr.,	Detroit. Middleville. Freeport. Eaton Rapids. Nashville. Shultz. Detroit. Detroit. Hastings. Delton.
Farmers Cooperative Creamery, Nashville Cream Station, Farmers Cooperative Creamery Co., Shultz Cooperative Creamery Co., Ltd., Woodland Cream Station, Nashville Cream Station, Crystal Creamery Co., Delton Cooperative Creamery Co.,		

BAY COUNTY.

Henry Sturm Cheese Factory, Gibson Twp. Cheese Factory, Gibson Twp. Cheese Factory, Beaver Twp. Cheese Factory, Dual Cream Station, Frankenlust Cheese Factory, Milk Depot, Fraser Cheese Factory, Butter Factory, Milk Depot, Milk Depot, Auburn Cheese Factory, Frankenlust Twp. Creamery, Monitor Cheese Factory, Creamery,	Henry Sturm, H. M. Schmidt Co., H. M. Schmidt Co., H. M. Schmidt Co., Vasold Bros., John Berger, Sr., Mrs. Ida M. Leix, J. H. Coggin, G. E. Tanner, J. J. McGinty, 203 S. Monroe St., Wm. Cuthbert, 2494 Center Ave., Geo. A. Nuffer, Martin Schwab, Chas. Voss, North Eastern Butter Co., 715 Third St., Urban Bros., Dan Horn, Seidel Creamery Co., Seidel Creamery Co., Seidel Creamery Co., Seidel Creamery Co., Stevens Creamery Co., John Gustafson, M. J. Battle, J. G. Dicalre, E. J. Whyte, Wm. H. Smith, Conrad C. Mozniski, Sanitary Milk Co.,	Freeland, R. 3. Saginaw W. S. Saginaw W. S. Saginaw W. S. Midland. Bay City, R. 5. Bay City. Pinconning, R. 5. Pinconning. Bay City. Bay City. Bay City. Bay City W. S., R. 5. Kawkawlin. Bay City. Pinconning. Pinconning. Bay City. Bay City. Bay City. Bay City. Bay City. Bay City, R. 1. Pinconning. Linwood State Road. Bay City. Auburn, R. F. D. Grand Rapids.
Pinconning Creamery, Pinconning Cheese Factory, Creamery (Bay City), Linwood Skimming Station, State Road Cream Station, Crump Cream Station, Milk Depot (Bay City), Milk Depot, 222 Broadway, Milk Depot, Cheese Factory (Pinconning), Linwood Creamery, Milk Depot, 302 S. Dean St., Milk Depot, Woodville Cream Station,		

BERRIEN COUNTY.

Hinchman Creamery, Buchanan Creamery, Pipestone Jersey Creamery, Watervliet Creamery, Dayton Creamery, Gallen Cond. Milk Factory, Three Oaks Creamery, Benton Harbor Milk Depot, St. Joseph Valley Creamery, Niles Creamery Co., Berrien Center Elgin Creamery, Gallen Cream Station, Milk Depot, Spring Valley Creamery (Oronoko), St. Joseph Creamery,	A. C. Miller, Bishop Creamery Co., Geo. T. Yetter, Watervliet Creamery Co., John Jacobson, 414 State St., John Jacobson, 414 State St., John Jacobson, 414 State St., Twin City Creamery, Alison C. Roe, Renbarger & Moon, Berrien Center Elgin Creamery Co., South Bend Creamery Co., Thorburn Bros., Geo. A. Stiles, Prop., Barlow Bros.,	Hinchman. Buchanan. Eau Claire, R. 2. Watervliet. Chicago. Chicago. Chicago. Benton Harbor. Buchanan. Niles. Berrien Center. South Bend, Ind. Benton Harbor. Berrien Springs. St. Joseph.
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BRANCH COUNTY.

Union City Cream Station, Bronson Cream Station, Sherwood Cream Station, Coldwater Cond. Milk Factory, Quincy Cream Station, Coldwater Cream Station, Bronson Cream Station, Quincy Cheese Factory, Bronson Cream Station, Leonidas Cream Station, Gerard Cream Station, Sherwood Cream Station, Coldwater Creamery,	Jackson Farm Products Co., Jackson Farm Products Co., Jackson Farm Products Co., Western Reserve Cond. Milk Co., Towards Wayne County Creamery, Towards Wayne County Creamery, Towards Wayne County Creamery, Loren A. Downer, South Bend Creamery Co., E. F. Campbell, E. F. Campbell, Fox River Butter Co., Emil Anderson, Prop.,	Jackson. Jackson. Jackson. Cleveland. Detroit. Detroit. Detroit. Quincy. South Bend, Ind. Homer. Homer. Detroit. Coldwater.
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CALHOUN COUNTY.

Name.	Owner or Manager.	Postoffice.
Athens Creamery, Ceresco Cream Station, Burlington Cream Station, Tekonsha Cream Station, Homer Cream Station, Athens Cream Station, Battle Creek Creamery,	J. J. Snyder, Bishop Creamery Co., Jackson Farm Products Co., Jackson Farm Products Co., Jackson Farm Products Co., Jackson Farm Products Co., Mich. Sanitarium & Benevolent Assn., M. W. Wentworth, Mgr., Louis Wehrte, Mgr., E. F. Campbell, B. S. Sharpe, F. E. Mellen, F. B. Dent, Post-Raymond Dairy Co., South Bend Creamery Co., Maple City Dairy Co., Milk Producers Co., E. F. Campbell, E. F. Campbell, E. F. Campbell, E. F. Campbell, H. E. Taylor, Dell Wolf, W. S. Parker, 15 Sanderson St.,	Athens. Buchanan. Jackson. Jackson. Jackson. Battle Creek. Marshall. Homer. Battle Creek. Battle Creek. Union City. Battle Creek. South Bend, Ind. Albion. Battle Creek. Homer. Homer. Homer. Homer. Tekonsha. Battle Creek, R. 5. Battle Creek.
Marshall Creamery Co., Homer Creamery, Milk Depot, 141 Oak Lawn Ave., Milk Depot, 15 E. Prairie Ave., Union City Creamery, Post-Raymond Milk Depot, Tekonsha Cream Station, Albion Creamery, Milk Depot, Union City Cream Station, Marengo Cream Station, Homer Cream Station, Albion Cream Station, Tekonsha Creamery, Dell Wolf Milk Depot, W. S. Parker Milk Depot,		

CASS COUNTY.

Penn Cream Station, C. I. Pepples Milk Depot, Cassopolis Creamery Co., Marcellus Creamery, Volina Cream Station, Jones Creamery Co., Dowagiac Creamery & Butter Co., Penn Cream Station, Marcellus Cream Station, Dowagiac Milk Depot,	Bishop Creamery Co., C. I. Pepples, Henry Edinger, Geo. P. Sunday, Spring Valley Creamery, R. L. Schell, Jesse S. Green, Mgr., South Bend Creamery Co., South Bend Creamery Co., Moll & Peoples,	Buchanan. Dowagiac. Cassopolis. Marcellus. Marcellus. Jones. Dowagiac. South Bend, Ind. South Bend, Ind. Dowagiac.
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CHARLEVOIX COUNTY.

Pine Lake Creamery Co., O. D. Willson Creamery,	Aug. Poetker, O. D. Willson.	Boyer City. Boyer City.
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CHEBOYGAN COUNTY.

Wolverine Cream Station,	Michigan Creamery Co.,	Saginaw.
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CHIPPEWA COUNTY.

Pickford Cream Station, Brimley Butter & Cheese Factory, Pickford Cream Station, Sault Ste. Marie Cream Station, W. H. Stribling Milk Depot, John Sass Cream Station, T. J. Lucas Cream Station, A. W. Reinhard Cream Station, Milk Station,	E. S. Taylor, Thompson & Washburn, Bridgeman-Russell Co., Bridgeman-Russell Co., W. H. Stribling, 419 Portage Ave., John Sass, T. J. Lucas, A. W. Reinhard, A. H. Eddy,	Pickford. Brimley. Hancock. Hancock. Sault Ste. Marie. Rudyard. Brimley. Brimley. Sault Ste. Marie.
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CLARE COUNTY.

Harrison Cream Station, Clare Cream Station, Farwell Cream Station, Harrison Cream Station, Harrison Cream Station, W. W. Faler Cream Station, Lake Cream Station, Clare Cream Station, Lake Cream Station, Clare Cream Station, Cream Station (P. & A. Dunlay), Cream Station (J. W. Glass), Cream Station (J. A. Sworeland), C. I. Mauer Cream Station, Chas. E. Herser Cream Station, Clare Cream Station, Lake Cream Station, Clare Cream Station, Ben Siebert Milk Station,	W. Fanning, Durand Creamery Co., Durand Creamery Co., Shedd Creamery Co., Shedd Creamery Co., W. W. Faler, Fox River Butter Co., Swift & Co., Swift & Co., Farmers Independent Produce Co., Farmers Independent Produce Co., Farmers Independent Produce Co., Farmers Independent Produce Co., C. I. Mauer, Chas. E. Herser, Port Huron Creamery Co., Michigan Creamery Co., Michigan Creamery Co., Ben Siebert,	Harrison. Durand. Durand. Detroit. Detroit. Gladwin, R. 4. Detroit. Alma. Alma. Clare. Clare. Clare. Clare. Farwell. Gladwin, R. 4. Port Huron. Saginaw. Saginaw. Gladwin, R. 4.
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STATE OF MICHIGAN.

CLINTON COUNTY.

Name.	Owner or Manager.	Postoffice
DeWitt Cream Station,	Durand Creamery Co.,	Durand.
Ovid Cream Station,	Durand Creamery Co.,	Durand.
St. Johns Cream Station,	Durand Creamery Co.,	Durand.
Shepardsville Cream Station,	Durand Creamery Co.,	Durand.
Bishops Clinton Creamery,	F. E. Bishop,	St. Johns.
Creamery and Cond. Milk Factory,	The Ekenberg Co.,	Elsie.
Ovid Cond. Milk Factory,	The Ekenberg Co.,	Elsie.
Eureka Cheese Factory,	The Ekenberg Co.,	Elsie.
Westphalia Creamery,	Alfred A. Bauer,	Westphalia.
Bath Cream Station,	Swift & Co.,	Alma.
Elsie Cream Station,	Swift & Co.,	Alma.
St. John's Cream Station,	Swift & Co.,	Alma.
St. Johns Milk Station,	Detroit Creamery Co.,	Detroit.
St. Johns Cream Station,	Medina County Creamery Co.,	Detroit.

DELTA COUNTY.

Milk Depot,	Martin Henriksen,	Escanaba.
Rapid River Creamery Co.,	L. E. Scoll, Mgr.,	Rapid River.
Shaffer Cheese Factory,	Paul Hidde, Prop.,	Shaffer.
Cream Station,	J. B. Frechette,	Bark River.
Milk Depot,	A. J. Valentine,	Escanaba.
Garden Creamery,	M. R. Keener, Prop.,	Garden.

DICKINSON COUNTY.

Norway Creamery Co.,	F. Copeland,	Norway.
Best Bros. Creamery,	Best Bros.,	Iron Mountain.

EATON COUNTY.

Bellevue Cream Station,	Durand Creamery Co.,	Durand.
Cond. Milk Factory (Grand Ledge),	Grand Ledge Milk Co.,	Detroit.
Eaton Rapids Creamery,	A. M. Smith & Co.,	Eaton Rapids.
Charlotte Cream Station,	A. M. Smith & Co.,	Eaton Rapids.
Olivet Cream Station,	A. M. Smith & Co.,	Eaton Rapids.
Mulliken Cooperative Creamery,	R. B. Jepson, Mgr.,	Mulliken.
Grand Ledge Cream Station,	Fox River Butter Co.,	Detroit.
Mulliken Cream Station,	Fox River Butter Co.,	Detroit.
Sunfield Cream Station,	Fox River Butter Co.,	Detroit.
Sunfield Cream Station,	Swift & Co.,	Alma.
Eaton Rapids Cream Station,	Towards Wayne County Creamery,	Detroit.
Olivet Cream Station,	Towards Wayne County Creamery,	Detroit.
Charlotte Cream Station,	Towards Wayne County Creamery,	Detroit.
Woodbury Cream Station,	Towards Wayne County Creamery,	Detroit.
Charlotte Creamery & Powdered Milk Factory,	Dry Milk Co., 15 Park Row,	New York.
Sunfield Cream Station,	Crystal Creamery Co.,	Hastings.
Grand Ledge Milk Depot,	Hough & Grohman,	Grand Ledge.
Olivet Cream Station,	E. F. Campbell,	Homer.
Eaton Rapids Cream Station,	Boylan Creamery Co.,	Grand Rapids.

EMMET COUNTY.

Petoskey Creamery,	E. Sherwood Martin,	Petoskey.
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GENESEE COUNTY.

Flushing Creamery,	Flushing Butter Co.,	Flushing.
Gaines Cream Station,	Durand Creamery Co.,	Durand.
Linden Cream Station,	Durand Creamery Co.,	Durand.
Fenton Cond. Milk Factory & Creamery,	Grand Ledge Milk Co.,	Detroit.
Flint Milk Plant,	Freeman Dairy Co.,	Flint.
Mt. Morris Cream Station,	Leonard Freeman,	Flint.
Davison Cream Station,	Leonard Freeman,	Flint.
Swartz Creek Cream Station,	Leonard Freeman,	Flint.
Otisville Creamery,	C. D. Parker & R. A. Hayes,	Otisville.
Clio Cond. Milk Factory,	Detroit Creamery Co.,	Detroit.
Grand Blanc Milk Station,	Detroit Creamery Co.,	Detroit.
Grand Blanc Butter Factory,	The State Creamery Co.,	Detroit.

GLADWIN COUNTY.

Beaverton Creamery,	Beaverton Co-op. Produce Co.,	Beaverton.
Gladwin Dairy & Produce Co.,	E. W. Faught, Mgr.,	Gladwin.
Gladwin Creamery,	J. M. Smith,	Gladwin.
Milk Depot,	Frank E. Burton,	Gladwin.
Cream Station,	B. J. Wheatley,	Gladwin, R. 3.
Cream Station,	Ernest L. Good,	Hockaday.
Cream Station,	F. J. Reithel,	Oberlin.

DAIRY AND FOOD COMMISSION.

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GLADWIN COUNTY.—Continued.

Name.	Owner or Manager.	Postoffice.
Skells Cream Station,	Al. Wemer,	Skells.
Middleville Cream Station,	Wesley Shook,	Gladwin.
Rhodes Cream Station,	W. E. Hause,	Rhodes.
Rhodes Cream Station,	John Mathieson,	Rhodes.
Beaverton Cream Station,	Towars Wayne County Creamery,	Detroit.
Gladwin Cream Station,	Towars Wayne County Creamery,	Detroit.
John McCarter Cream Station,	John McCarter,	Rhodes, R.1.
Gladwin Cream Station,	Seidel Creamery Co.,	Bay City.

GOGEBIC COUNTY.

A. C. Buss Creamery,	A. C. Buss,	Ironwood.
Bessemer Creamery Co.,	A. D. McCrady,	Bessemer.
Ironwood Creamery,	Cloverland Creamery Co.,	Ironwood.

GRAND TRAVERSE COUNTY.

Moore's Cash Store Milk Depot,	Claude Moore,	Kingsley.
McBride & Kreiser Cheese Factory,	McBride & Kreiser,	Buckley.
Traverse City Elgin Creamery,	Wm. A. McCool, 316 Rose,	Traverse City.

GRATIOT COUNTY.

Brice Cream Station,	Durand Creamery Co.,	Durand.
New Haven Cream Station,	Durand Creamery Co.,	Durand.
Pompell Cream Station,	Durand Creamery Co.,	Durand.
Ola Cream Station,	Durand Creamery Co.,	Durand.
St. Louis Co-op. Creamery Co.,	F. C. Pernert,	St. Louis.
C. E. Relst Cheese Factory,	F. L. Webster,	Ithaca, R. 4.
Perrinton Cond. Milk Factory,	Libby, McNeill & Libby,	Chicago.
Riverdale Cream Station,	Fox River Butter Co.,	Detroit.
Sethon Cream Station,	Fox River Butter Co.,	Detroit.
Alma Creamery,	Swift & Company,	Alma.
Bannister Cream Station,	Swift & Company,	Alma.
Breckenridge Cream Station,	Swift & Company,	Alma.
Edgewood Cream Station,	Swift & Company,	Alma.
Elm Hall Cream Station,	Swift & Company,	Alma.
Ithaca Cream Station,	Swift & Company,	Alma.
Langport Cream Station,	Swift & Company,	Alma.
Rathbone Cream Station,	Swift & Company,	Alma.
Riverdale Cream Station,	Swift & Company,	Alma.
St. Louis Cream Station,	Swift & Company,	Alma.
Sumner Cream Station,	Swift & Company,	Alma.
Wheeler Cream Station,	Swift & Company,	Alma.
Middleton Cheese Factory,	Geo. S. Hart Co., 35 Pearl St.,	New York.
Wheeler Cream Station,	Medina County Creamery Co.,	Detroit.

HILLSDALE COUNTY.

Hillsdale Elgin Creamery,	Hillsdale Elgin Creamery Co.,	Hillsdale.
Shadyside Cheese Factory,	E. W. Lewis,	Osseo.
Hillsdale Cond. Milk Factory,	Western Reserve Cond. Milk. Co.,	
	1252 Bdwy., S. E.,	Cleveland, O.
Litchfield Creamery,	Litchfield Dairy Assn.,	Litchfield.
Osseo Cream Station,	Homer Creamery,	Homer.
Pittsford Cream Station,	Homer Creamery,	Homer.
Waldron Cheese Factory,	W. E. Cocklin,	Waldron.
Montgomery Cheese Factory,	C. C. Downer, Mgr.,	Montgomery.
Prattville Cream Station,	E. F. Campbell,	Homer.
Jonesville Cream Station,	E. F. Campbell,	Homer.
North Adams Creamery,	Eggleston & Sheldon,	North Adams.
Somerset Milk Depot,	East Side Creamery Co.,	Detroit.

HOUGHTON COUNTY.

Houghton Creamery,	Lake Superior Prod. Co.,	Houghton.
Chassell Creamery,	Worcester Lumber Co.,	Chassell.
Hancock Creamery,	Bridgeman-Russell Co.,	Hancock.
Alston Cream Station,	Bridgeman-Russell Co.,	Hancock.
Kenton Cream Station,	Bridgeman-Russell Co.,	Hancock.
Kenton Cream Station,	Ishpeming Creamery Co.,	Ishpeming.
Barsotti Bros. Cream Station,	Barsotti Bros.,	Calumet.
Duluth Creamery,	Duluth Creamery & Prod. Co.,	Duluth, Minn.

HURON COUNTY.

Name.	Owner or Manager.	Postoffice.
Rice Bros. Cheese and Butter Factory,	Rice Bros.,	Elkton.
Pigeon Cheese Factory,	Warner Dairy Co.,	Farmington.
Kilmanagh Cheese Factory,	Warner Dairy Co.,	Farmington.
Owendale Cheese Factory,	Warner Dairy Co.,	Farmington.
Port Hope Cream Station,	Shedd Creamery Co.,	Detroit.
(E. J. DeWitt, Mgr.),		
Port Hope Cream Station (Robert & Mathurson),	Shedd Creamery Co.,	Detroit.
Helena Cream Station,	Shedd Creamery Co.,	Detroit.
Port Hope Cream Station (Edw. Kirch)	Shedd Creamery Co.,	Detroit.
Owendale Cream Station,	Shedd Creamery Co.,	Detroit.
J. Haley Cream Station,	J. Haley,	Bad Axe.
Grindstone City Creamery,	Michigan Creamery Co.,	Saginaw.
Pigeon Creamery,	Huron County Creamery Co.,	Pigeon.
Uby Cond. Milk Plant,	Page Milk Co.,	Uby.
Sebewaing Creamery,	H. G. Grassmann,	Sebewaing.
Owendale Cream Station,	Fox River Butter Co.,	Detroit.
Fillion Cream Station,	Fox River Butter Co.,	Detroit.
Bad Axe Cream Station,	Swift & Company,	Alma.
Fillion Cream Station,	Rowland A. Mosey,	Fillion, R. 1.
Ruth Creamery,	Ruth Creamery Co.,	Ruth.
Parisville Cream Station,	Ruth Creamery Co.,	Ruth.
New Parisville Cream Station,	Ruth Creamery Co.,	Ruth.
Pawloki Cream Station,	Ruth Creamery Co.,	Ruth.
Bad Axe Milk Products Plant,	Int'l Milk Products Co.,	Detroit.
Harbor Beach Creamery,	Farmers Co-op. Creamery Co.,	Harbor Beach.
Caseville Cream Station,	Medina County Creamery Co.,	Detroit.
Elkton Cream Station,	Medina County Creamery Co.,	Detroit.
Harbor Beach Cream Station,	Medina County Creamery Co.,	Detroit.
Ruth Cream Station,	Port Huron Creamery Co.,	Port Huron.
Kinde Cream Station,	Port Huron Creamery Co.,	Port Huron.
Pinnebog Cream Station,	Port Huron Creamery Co.,	Port Huron.
Rapson Cream Station,	Port Huron Creamery Co.,	Port Huron.
Uby Cream Station,	Port Huron Creamery Co.,	Port Huron.
Verona Cream Station,	Port Huron Creamery Co.,	Port Huron.
Caseville Cream Station,	Port Huron Creamery Co.,	Port Huron.
Kinde R. F. D. Cream Station,	Port Huron Creamery Co.,	Port Huron.
Bad Axe Cream Station,	Michigan Creamery Co.,	Saginaw.
Port Austin Cream Station,	Michigan Creamery Co.,	Saginaw.
Harbor Beach Cream Station,	Michigan Creamery Co.,	Saginaw.
Elkton Creamery,	Farmers & Gleaners Creamery Co.,	Elkton.
Gotts Cream Station,	C. H. Hedley,	Caseville, R. 2.

INGHAM COUNTY.

Holt Cream Station,	Bishop Creamery Co.,	Buchanan.
Onondaga Cheese Factory,	M. M. Moore,	Onondaga.
Webberville Cond. Milk Factory	Chapin-Sacks Mfg. Co.,	Webberville.
Fitchburg Cream Station,	Jackson Farm Prod. Co.,	Jackson.
Onondaga Cream Station,	Jackson Farm Prod. Co.,	Jackson.
Mason Cream Station,	A. M. Smith & Company,	Eaton Rapids.
Williamston Cream Station,	Fox River Butter Co.,	Detroit.
Webberville Cream Station,	Fox River Butter Co.,	Detroit.
Leslie Creamery,	E. J. Kneebehler, Prop.,	Leslie.
Lansing Cond. Milk Factory,	Borden's Cond. Milk Factory, 108 Hudson St.,	New York.
Williamston Milk Depot,	Detroit Creamery Co.,	Detroit.
Mason Cream Station,	Towar Wayne County Creamery,	Detroit.
Meridian Cream Station,	Fox River Butter Co.,	Detroit.
Lansing Milk Depot,	Michigan Dairy, 814 N. Cedar,	Lansing.
Lansing Creamery,	F. E. Allen, 320 N. Washington,	Lansing.
Stockbridge Creamery,	James DeZwarte, Prop.,	Stockbridge.
Lansing Creamery,	H. J. Klepert,	Lansing.

IONIA COUNTY.

Hubbardston Cream Station,	Durand Creamery Co.,	Durand.
Muir Cream Station,	Durand Creamery Co.,	Durand.
Portland Cream Station,	Bishop's Clinton Creamery,	St. Johns.
Muir Cream Station,	Bishop's Clinton Creamery,	St. Johns.
Belding Creamery,	Frank O'Bryan,	Belding.
Lake Odessa Cond. Milk Factory,	Hires Cond. Milk Co., 913 Arch St.,	Philadelphia.
Clarksville Creamery,	D. W. Lind, Mgr.,	Clarksville.
Saranac Creamery,	Farmers Co-op. (C. Renwick),	Saranac.
Collins Cream Station,	Swift & Company,	Alma.
Lake Odessa Cream Station,	Swift & Company,	Alma.
Muir Cream Station,	Swift & Company,	Alma.
Orleans Cheese Factory,	Earles Milk Co., 100 Rose St.,	Grand Rapids.
Lake Odessa Cream Station,	Towar Wayne County Creamery,	Detroit.
Saranac Cream Station,	Towar Wayne County Creamery,	Detroit.
Ionia Creamery,	Austin & Darling,	Ionia.
Lake Odessa Cream Station,	Sanitary Milk Co.,	Grand Rapids.
Muir Cream Station,	Sanitary Milk Co.,	Grand Rapids.
Portland Cream Station,	Sanitary Milk Co.,	Grand Rapids.

IOSCO COUNTY.

Name.	Owner or Manager.	Postoffice.
Tawas Creamery,	Tawas Butter Co.,	Tawas.
Hale Cheese Factory,	John H. Carey,	Hale.
Whittemore Creamery,	Iosco Creamery Co.,	Whittemore.

IRON COUNTY.

Name.	Owner or Manager.	Postoffice.
Crystal Falls Creamery,	John Soderman, Mgr.,	Crystal Falls.
Iron River Creamery,	Henry H. Fralling,	Iron River.

ISABELLA COUNTY.

Name.	Owner or Manager.	Postoffice.
Rosebush Cream Station,	Durand Creamery Co.,	Durand.
Robert Slaco Cream Station,	Robert Slaco,	Lake, R. 2.
Broomfield Cream Station,	Swift & Company,	Alma.
Delwin Cream Station,	Swift & Company,	Alma.
Leaton Cream Station,	Swift & Company,	Alma.
Mt. Pleasant Cream Station,	Swift & Company,	Alma.
Rosebush Cream Station,	Swift & Company,	Alma.
Shepherd Cream Station,	Swift & Company,	Alma.
Weldman Cream Station,	Swift & Company,	Alma.
Winn Cream Station,	Swift & Company,	Alma.
Wise Cream Station,	Swift & Company,	Alma.
Mt. Pleasant Cond. Milk Factory,	Borden's Cond. Milk Co., 108 Hudson St.,	New York.
Geo. W. Skinner Cream Station,	Geo. W. Skinner,	Lake, R. 2.
Blanchard Cream Station,	Medina County Creamery Co.,	Detroit.
Shepherd Cream Station,	Ann Arbor Creamery,	Ann Arbor.

JACKSON COUNTY.

Name.	Owner or Manager.	Postoffice.
Parma Creamery,	Parma Butter Company,	Parma.
Grass Lake Creamery,	Lakeside Elgin Butter Co.,	Grass Lake.
Jackson Creamery,	Jackson Farm Prod. Co.,	Jackson.
Horton Cream Station,	Jackson Farm Prod. Co.,	Jackson.
Rives Junction Cream Station,	Jackson Farm Prod. Co.,	Jackson.
Napoleon Cream Station,	Jackson Farm Prod. Co.,	Jackson.
Springport Cream Station,	A. M. Smith & Co.,	Eaton Rapids.
Springport Cream Station,	Homer Creamery,	Homer.
Jackson Cond. Milk Factory,	Borden's Cond. Milk Factory,	New York.
Devereaux Creamery,	108 Hudson St.,	Devereaux.
Brooklyn Creamery,	Elmer Bros.,	Brooklyn.
Brooklyn Cream Station,	Brooklyn Creamery Co.,	Detroit.
Jackson Creamery,	Medina County Creamery Co.,	Jackson.
	Colvin Dairy Co.,	

KALAMAZOO COUNTY.

Name.	Owner or Manager.	Postoffice.
Augusta Creamery,	Jacob Veenstra,	Augusta.
Alamo Creamery,	H. M. Walker,	Alamo.
Vicksburg Creamery,	Bishop Creamery Co.,	Buchanan.
Schoolcraft Creamery,	W. G. McCreary,	Schoolcraft.
Kalamazoo Creamery,	Michigan Butter Co.,	Kalamazoo.
Kalamazoo Creamery,	Kalamazoo Creamery Co.,	Kalamazoo.
Kalamazoo Creamery,	Dairymen's Milk Co.,	Kalamazoo.
Scott's Cream Station,	Homer Creamery Co.,	Homer.
Climax Cream Station,	Fox River Butter Co.,	Detroit.
Riverside Creamery,	Stafford & Whitney, Props.,	Galesburg.
Wm. Reenders Milk Depot,	Wm. Reenders, 533 Forest St.,	Kalamazoo.
W. J. Kendall Milk Depot,	W. J. Kendall, 815 W. Cedar,	Kalamazoo.
Fulton Cream Station,	Towar Wayne County Creamery,	Detroit.
Schoolcraft Cream Station,	Towar Wayne County Creamery,	Detroit.
R. H. Wheeler Milk Depot,	R. H. Wheeler, 903 Davis St.,	Kalamazoo.
Schoolcraft Cream Station,	South Bend Creamery Co.,	South Bend, Ind.
Climax Milk Depot,	Post-Raymond Dairy Co.,	Battle Creek.
A. W. Burke Milk Depot,	A. W. Burke, 1021 N. Edward St.,	Kalamazoo.
H. Helmstra Milk Depot,	H. Helmstra,	Kalamazoo, R. 6.

KALKASKA COUNTY.

Name.	Owner or Manager.	Postoffice.
Boardman Milk Depot,	Hunter Bros.,	Boardman.
Kalkaska Cream Station,	Geo. F. Bow,	Kalkaska.
Kalkaska Cream Station,	Cole Bros.,	Kalkaska.
Kalkaska Cream Station,	Sanitary Milk Co.,	Grand Rapids.
Sigma Cream Station,	Sanitary Milk Co.,	Grand Rapids.
Darragh Cream Station,	Sanitary Milk Co.,	Grand Rapids.
South Boardman Cream Station,	Sanitary Milk Co.,	Grand Rapids.

STATE OF MICHIGAN.

KENT COUNTY.

Name.	Owner or Manager.	Postoffice.
Alto Creamery,	Alto Co-op. Co.,	Alto.
Lowell Cream Station,	Durand Creamery Co.,	Durand.
Sparta Cond. Milk Factory,	Grand Ledge Milk Co.,	Detroit.
Cedar Springs Creamery,	Cedar Springs Co-op. Co.,	Cedar Springs.
Sand Lake Creamery,	W. L. Bishop,	Sand Lake.
Caledonia Creamery,	Caledonia Co-op. Creamery Co.,	Caledonia.
Lowell Creamery,	Moseley Co-op. Co.,	Lowell, R. 1.
Grand Rapids Creamery,	Blue Valley Creamery Co.,	Grand Rapids.
Grand Rapids Milk Depot,	John D. Vonk, 916 Wealthy St. S. E.,	Grand Rapids.
Grand Rapids Milk Depot,	Citizens Dairy Co., 1140 Wealthy St.,	Grand Rapids.
Grand Rapids Creamery,	Grand Rapids Creamery Co.,	Grand Rapids.
Grand Rapids Creamery,	Grand Rapids Dairy Co.,	Grand Rapids.
Grand Rapids Creamery,	Boyland Creamery Co.,	Grand Rapids.
Sparta Cream Station,	Boyland Creamery Co.,	Grand Rapids.
Lowell Cream Station,	Boyland Creamery Co.,	Grand Rapids.
Grand Rapids Creamery,	Sanitary Milk Co.,	Grand Rapids.
Herps Cream Station,	Sanitary Milk Co.,	Grand Rapids.
Byron Center Creamery,	Byron Center Creamery Co.,	Byron Center.
Ada Dairy Milk Depot,	G. Grootenhaar, 1141 Military St.,	Grand Rapids.
Grand Rapids Milk Depot,	Theo. Groothoff, 1145 Wealthy,	Grand Rapids.
Valley City Creamery,	M. T. McNamara & Sons, 666 Lake Drive,	Grand Rapids.

LAKE COUNTY.

Chase Cream Station,	Shedd Creamery Co.,	Detroit.
Olivers Cream Station,	Shedd Creamery Co.,	Detroit.
Nirvana Cream Station,	Sanitary Milk Co.,	Grand Rapids.

LAPEER COUNTY.

Lapeer Creamery,	Lapeer County Creamery,	Lapeer.
Imlay City Cream Station,	Shedd Creamery Co.,	Detroit.
Cheese & Butter Factory,	Amos L. Kinney,	Clifford.
Creamery,	F. A. Chevrie,	Almont.
Creamery,	Thos. B. Keyworth,	Imlay City.
Imlay City Cream Station,	Fox River Butter Co.,	Detroit.
Kings Mills Cream Station,	Fox River Butter Co.,	Detroit.
Lum Cream Station,	Fox River Butter Co.,	Detroit.
Creamery,	People's Creamery,	North Branch.
Metamora Cream Station,	Detroit Creamery Co.,	Detroit.
Almont Cream Station,	Towar Wayne County Creamery,	Detroit.
North Branch Cream Station,	Towar Wayne County Creamery,	Detroit.
Dryden Cream Station,	Towar Wayne County Creamery,	Detroit.
Kings Mills Cream Station,	Port Huron Creamery Co.,	Port Huron.
Imlay City R. F. D. Cream Station,	Port Huron Creamery Co.,	Port Huron.
Clifford Milk Depot,	East Side Creamery Co.,	Detroit.

LEELANAU COUNTY.

Creamery,	Leelanau Township Farmers Club,	Northport.
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LENAWEE COUNTY.

Addison Cheese Factory,	Central Supply Co.,	Addison.
Hudson Cond. Milk Factory	Helvetia Milk Cond. Co.,	Highland, Ill.
Pentecost Cream Station,	Shedd Creamery Co.,	Detroit.
Adrian Cond. Milk Factory,	Van Camp Packing Co.,	Adrian.
Cement City Cream Station,	Jackson Farm Produce Co.,	Jackson.
Creamery,	Macon Creamery Co., G. A. Mills,	Tecumseh.
Skimming Station,	H. H. Driggs,	Palmyra.
Clayton Cream Station,	Homer Creamery, E. F. Campbell,	Homer.
Onsted Cream Station,	Homer Creamery, E. F. Campbell,	Homer.
Addison Cream Station,	Homer Creamery, E. F. Campbell,	Homer.
Clayton Cream Station,	Fox River Butter Co.,	Detroit.
Seneca Cond. Milk Co.,	Ohio Dairy Co.,	Toledo, Ohio.
Morenci Cond. Milk Co.,	Ohio Dairy Co.,	Toledo, Ohio.
Ennis Cream Station,	Towar Wayne County Creamery,	Detroit.
Munson Cream Station,	Towar Wayne County Creamery,	Detroit.
Sand Creek Cream Station,	Towar Wayne County Creamery,	Detroit.
Creamery,	Blissfield Creamery Co.,	Blissfield.
Cheese Factory,	Onsted Cheese Factory, L. R. Connor	Onsted.
Tecumseh Creamery,	Tecumseh Butter Co.,	Tecumseh.
Clinton Cream Station,	Tecumseh Butter Co.,	Tecumseh.
Manitou Beach Cream Station,	Tecumseh Butter Co.,	Tecumseh.
Onsted Cream Station,	Tecumseh Butter Co.,	Tecumseh.
Deerfield Cream Station,	Tecumseh Butter Co.,	Tecumseh.
Britton Milk Depot,	East Side Creamery Co.,	Detroit.
Madison Milk Depot,	East Side Creamery Co.,	Detroit.

LIVINGSTON COUNTY.

Name.	Owner or Manager.	Postoffice.
Cohoctah Cream Station,	Durand Creamery Co.,	Durand.
Cohoctah Center Cream Station,	Durand Creamery Co.,	Durand.
Hamburg Cream Station,	Durand Creamery Co.,	Durand.
Howell Cream Station,	Durand Creamery Co.,	Durand.
Oak Grove Cream Station,	Durand Creamery Co.,	Durand.
Fowlerville Cream Station,	Fox River Butter Co.,	Detroit.
Gregory Cream Station,	Fox River Butter Co.,	Detroit.
Pinckney Cream Station,	Fox River Butter Co.,	Detroit.
Rushton Cream Station,	Fox River Butter Co.,	Detroit.
Cohoctah Cream Station,	Swift & Company,	Alma.
Cond. Milk Factory, Howell,	Borden's Cond. Milk Co.,	
Brighton Cond. Milk Factory,	108 Hudson,	New York City.
Cohoctah Cream Station,	Detroit Creamery Co.,	Detroit.
Fowlerville Cream Station,	Towar Wayne County Creamery,	Detroit.
Howell Cream Station,	Towar Wayne County Creamery,	Detroit.
Lyndon Cheese Factory,	Towar Wayne County Creamery,	Detroit.
	Samuel Boyce,	Stockbridge.

MACKINAC COUNTY.

Engadine Cream Station,	Rhineland Creamery & Prod. Co.,	Rhineland, Wis.
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MACOMB COUNTY.

Creamery,	Romeo Elgin Creamery,	Romeo.
Creamery,	New Baltimore Creamery Co.,	New Baltimore.
Lenox Cream Station,	Fox River Butter Co.,	Detroit.
Romeo Cream Station,	Fox River Butter Co.,	Detroit.
Memphis Cream Station,	Fox River Butter Co.,	Detroit.
New Haven Cream Station,	Fox River Butter Co.,	Detroit.
Creamery,	Utica Co-op. Creamery Assn.,	Utica.
Disco Skimming Station,	Utica Co-op. Creamery Assn.,	Utica.
Macomb Skimming Station,	Utica Co-op. Creamery Assn.,	Utica.
Waldenberg Skimming Station,	Utica Co-op. Creamery Assn.,	Utica.
Cady's Corners Milk Station,	Detroit Creamery Co.,	Detroit.
Mt. Clemens Milk Station,	Detroit Creamery Co.,	Detroit.
Muttonville Milk Station,	Detroit Creamery Co.,	Detroit.
New Haven Milk Station,	Detroit Creamery Co.,	Detroit.
Utica Milk Station,	Detroit Creamery Co.,	Detroit.
Washington Cream Station,	Towar Wayne County Creamery,	Detroit.
Redmond Receiving Station,	Arctic Ice Cream Co.,	Detroit.
Romeo Cream Station,	Medina County Creamery Co.,	Detroit.
Memphis Cream Station,	Port Huron Creamery Co.,	Port Huron.
Lenox Cream Station,	Port Huron Creamery Co.,	Port Huron.
Chesterfield Creamery,	John Schlaff Creamery Co.,	Detroit.
Creamery,	Gatz Creamery, John Gatz,	Mt. Clemens.

MANISTEE COUNTY.

Milk Depot,	Alfred Hansen, 449½ River St.,	Manistee.
Dublin Cream Station,	Swift & Company,	Alma.
Creamery,	Copemish Creamery Co.,	Bear Lake.
Kaleva Cream Station,	Copemish Creamery Co.,	Bear Lake.
Dublin Cream Station,	Sanitary Milk Co.,	Grand Rapids.

MARQUETTE COUNTY.

Ishpeming Creamery,	Ishpeming Creamery Co.,	Ishpeming.
Skandia Creamery,	Skandia Creamery Co.,	Skandia.

MASON COUNTY.

Tallman Cream Station,	Shedd Creamery Co.,	Detroit.
Custer Cream Station,	Shedd Creamery Co.,	Detroit.
Fountain Cream Station,	Shedd Creamery Co.,	Detroit.
Scottville Alpha Creamery,	Axel Kehlet, Prop.,	Ludington.
Custer Cream Station,	Swift & Company,	Alma.
Fountain Cream Station,	Swift & Company,	Alma.
Cream Station,	Tobey & Company,	Freesoil.
Fountain Cheese Factory,	R. & C. J. Necosia, Box 34,	Fountain.
Freesoil Cheese Factory,	J. Licisue & J. DeMattea,	Mt. Vernon, N. Y.
Wiley Creamery,	S. J. Szostakowski,	Scottville.
Freesoil Cream Station,	Sanitary Milk Co.,	Grand Rapids.
Fountain Cream Station,	Sanitary Milk Co.,	Grand Rapids.

STATE OF MICHIGAN.

MECOSTA COUNTY.

Name.	Owner or Manager.	Postoffice.
Cream Station,	L. W. Harrison & Co.,	Millbrook.
Big Rapids Cream Station,	Fox River Butter Co.,	Detroit.
Altona Cream Station,	Swift & Company,	Alma.
Barryton Cream Station,	Swift & Company,	Alma.
Big Rapids Cream Station,	Swift & Company,	Alma.
Millbrook Cream Station,	Swift & Company,	Alma.
Rodney Cream Station,	Swift & Company,	Alma.
Titus Cream Station,	Swift & Company,	Alma.
Remus Co-op. Creamery Co.,	F. C. Palmer, Mgr.,	Remus.
Millbrook Cream Station,	Medina County Creamery Co.,	Detroit.
Paris Creamery & Cheese Factory,	Paris Dairy & Produce Co.,	Paris.
Stanwood Cream Station,	Boylard Creamery Co.,	Grand Rapids.
Morley Cream Station,	Sanitary Milk Co.,	Grand Rapids.
Paris Cream Station,	Sanitary Milk Co.,	Grand Rapids.

MENOMINEE COUNTY.

Wilson Cheese Factory,	John Boerschinger,	Wilson.
Perronville Cheese Factory,	John Boerschinger,	Wilson.
Spalding Cheese Factory,	N. Virch & Wm. Blair,	Spalding.
I. X. L. Creamery,	I. X. L. Creamery Co.,	Hermansville.
Pine Hill Farm Creamery,	C. I. Cook,	Menominee.
Carney Cream Station,	Bridgeman-Russell Co.,	Hancock.
Wallace Creamery,	John H. Noppenberg, Prop.,	Wallace.
Swanson Cheese Factory,	Jos. Kralovetz, Prop.,	Swanson.
Nadeau Creamery,	Nadeau Bros.,	Nadeau.
Nadeau Twp. Cheese Factory,	Hannon & Guard, Props.,	Carney.
Cheese Factory,	Arthur Elliott, Box 112,	Harris.
Cheese Factory,	Herman Schmidt,	Wallace.
Cream Station,	Hannon & Guard,	Carney.
Creamery,	National Pole Co.,	Escanaba.
Wilson Cheese Factory,	Wm. Klekamp,	Wilson, R. 1.
Stephenson Creamery and Cheese Fact.,	Wallie Landree, Prop.,	Stephenson.
Maple Grove Cheese Factory,	Virch & Blair,	Ingalls.

MIDLAND COUNTY.

Midland Creamery,	Vasold Bros.,	Midland.
Sanford Cream Station,	Vasold Bros.,	Midland.
Poseyville Cream Station,	Vasold Bros.,	Midland.
Floyd Cream Station,	Vasold Bros.,	Midland.
Creamery,	Farmers Co-op. Co. Creamery,	Coleman.
Cream Station,	L. P. Larsen,	Midland, R. 5.
Floyd Cream Station,	Kinzy Hunt,	Midland, R. 5.
Cream Station,	C. H. Keyworth,	Sanford.
Cream Station,	Wm. H. & A. D. Childs,	North Bradley.
Cream Station,	N. G. See,	Coleman.
Cream Station,	C. W. Siechert,	Averill.
Midland Cream Station,	Michigan Creamery Co.,	Saginaw.
Smiths Crossing Cream Station,	Michigan Creamery Co.,	Saginaw.
Poseyville Cream Station,	Michigan Creamery Co.,	Saginaw.
Coleman Cream Station,	Michigan Creamery Co.,	Saginaw.
Larkin Cream Station,	Michigan Creamery Co.,	Saginaw.
Midland Cream Station,	Towar Wayne County Creamery,	Detroit.

MISSAUKEE COUNTY.

Falmouth Cream Station,	Durand Creamery Co.,	Durand.
Missaukee Cream Station,	Durand Creamery Co.,	Durand.
Cream Station,	Forquer Bros.,	Missaukee.
Creamery,	Lake City Creamery Co.,	Lake City.
Cream Station,	Jay T. Hoard,	Merritt.
Cream Station (McBain),	Ann Arbor Creamery,	Ann Arbor.

MONROE COUNTY.

Monroe Butter & Cheese Factory,	J. C. Sterling,	Monroe.
LaSalle Skimming Station,	J. C. Sterling,	Monroe.
Frenchtown Skimming Station,	J. C. Sterling,	Monroe.
Excelsior Creamery,	Excelsior Creamery Co.,	Ida.
Scofield Cream Station,	Fox River Butter Co.,	Detroit.
Dundee Cream Station,	Towar Wayne County Creamery,	Detroit.
Maybee Cream Station,	Towar Wayne County Creamery,	Detroit.
Newport Cream Station,	Towar Wayne County Creamery,	Detroit.
Whitford Twp. Cheese Factory,	A. L. Gilhouse,	Riga.
Azalia Receiving Station,	Toledo Dairy Co.,	Toledo, Ohio.
Carleton Cream Station,	Detroit Creamery Co.,	Detroit.
Maybee Cream Station,	Medina County Creamery Co.,	Detroit.
Carleton Cream Station,	Medina County Creamery Co.,	Detroit.
Petersburg Cream Station,	Tecumseh Butter Co.,	Tecumseh.
Petersburg Milk Depot,	East Side Creamery Co.,	Detroit.
South Rockwood Milk Depot,	East Side Creamery Co.,	Detroit.
Newport Milk Depot,	East Side Creamery Co.,	Detroit.

MONTCALM COUNTY.

Name.	Owner or Manager.	Postoffice.
Cream Station,	J. H. Mathews,	Stanton.
Carson City Cream Station,	Durand Creamery Co.,	Durand.
Crystal Cream Station,	Durand Creamery Co.,	Durand.
Sheridan Cream Station,	Bishop's Clinton Creamery,	St. Johns.
Montcalm Creamery,	Jas. Lynch,	Greenville.
Lakeview Creamery,	Frank Betty,	Lakeview.
Butternut Cheese Factory,	H. J. Campbell,	Butternut.
Vickeryville Cheese Factory,	M. C. Johnson,	Vickeryville.
Sheridan Milk Depot,	Libby, McNeil & Libby,	Chicago.
Vestaburg Cream Station,	Fox River Butter Co.,	Detroit.
Edmore Cream Station,	Swift & Company,	Alma.
Entrican Cream Station,	Swift & Company,	Alma.
Fenwick Cream Station,	Swift & Company,	Alma.
Howard City Cream Station,	Swift & Company,	Alma.
Ferrie Cream Station,	Swift & Company,	Alma.
Lakeview Cream Station,	Swift & Company,	Alma.
Sidney Cream Station,	Swift & Company,	Alma.
Six Lakes Cream Station,	Swift & Company,	Alma.
Trufant Cream Station,	Swift & Company,	Alma.
Vestaburg Cream Station,	Swift & Company,	Alma.
Howard City Cream Station,	Medina County Creamery Co.,	Detroit.
Trufant Cream Station,	Medina County Creamery Co.,	Detroit.
Six Lakes Cream Station,	Medina County Creamery Co.,	Detroit.
Trufant Cream Station,	Fox River Butter Co.,	Detroit.

MONTMORENCY COUNTY.

Hillman Creamery,	Hillman Creamery Co.,	Hillman.
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MUSKEGON COUNTY.

Creamery,	City Dairy, Inc.,	Muskegon.
Creamery,	Ravenna Inc. Butter Co.,	Ravenna.
White Lake Creamery,	White Lake Creamery Co.,	Montague.
Milk Depot,	John Baars,	Muskegon, R. 3.
Creamery,	Holton Creamery Co. (Jacob Schmitt),	Holton.
Casnovia Cream Station,	Swift & Company,	Alma.
Casnovia Cream Station,	Fox River Butter Co.,	Detroit.
Creamery,	Cloverleaf Creamery,	Muskegon.
Bailey Cream Station,	Sanitary Milk Co.,	Grand Rapids.
Brunswick Cream Station,	Sanitary Milk Co.,	Grand Rapids.
Creamery,	Dalton Creamery Company,	Muskegon.
Sullivan Cream Station,	Dalton Creamery Company,	Muskegon.
Milk Depot,	Producers Milk Company,	Muskegon.

NEWAYGO COUNTY.

Milk Depot,	A. Griswold & Son,	Fremont.
White Cloud Creamery,	B. G. Asselin, Prop.,	White Cloud.
Bitely Cream Station,	Swift & Company,	Alma.
Newaygo Cream Station,	Swift & Company,	Alma.
Woodville Cream Station,	Swift & Company,	Alma.
Ramona Cream Station,	Holland Crystal Creamery,	Holland.
Brookside Cream Station,	Holland Crystal Creamery,	Holland.
Aetna Cream Station,	Holland Crystal Creamery,	Holland.
Fremont Creamery,	Henry Rozema, Mgr.,	Fremont.
Newaygo Creamery,	Bishop Co-op. Creamery Co.,	Fremont.
Creamery,	F. E. Townsend,	Bitely.
Rouge River Creamery Co.,	A. Bannik, Mgr.,	Grant, R. 3.
Grant Creamery Co.,	Robt. B. McKinley, Mgr.,	Grant.
Reeman Creamery Co.,	John M. Beem, Mgr.,	Reeman.
Wooster Cream Station,	Dalton Creamery Co.,	Muskegon.
Fremont Cream Station,	Dalton Creamery Co.,	Muskegon.

OAKLAND COUNTY.

Farmington Cheese Factory,	Warner Dairy Co.,	Farmington.
Novi Twp. Cheese Factory,	Warner Dairy Co.,	Farmington.
Keyser Dairy Co.,	E. L. Keyser,	Pontiac.
Clarenceville Milk Depot,	J. H. Wilson & Sons Creamery Co.,	Detroit.
Milk Depot,	F. W. Yates,	Rochester, R. 3.
Holly Cream Station,	Swift & Company,	Alma.
Birmingham Creamery,	Peter Williams, Prop.,	Birmingham.
Holly Milk Depot,	Detroit Creamery Co.,	Detroit.
South Lyon Milk Station,	Detroit Creamery Co.,	Detroit.
Wixom Milk Station,	Detroit Creamery Co.,	Detroit.
New Hudson Cream Station,	Towar Wayne County Creamery,	Detroit.
Holly Cream Station,	Towar Wayne County Creamery,	Detroit.
Leonard Cream Station,	Towar Wayne County Creamery,	Detroit.
Davidsburg Cream Station,	Towar Wayne County Creamery,	Detroit.
Davidsburg Cream Station,	Fox River Butter Co.,	Detroit.

STATE OF MICHIGAN.

OAKLAND COUNTY.—Continued.

Name.	Owner or Manager.	Postoffice.
Rose Center Cream Station, Creamery, Cheese Factory, Yates Milk Depot,	Fox River Butter Co., F. E. Springsteen, C. G. Freeman, Oakland County Creamery Co.,	Detroit. Royal Oak. Pontiac. Detroit.

OCEANA COUNTY.

Rothbury Creamery Company, Pentwater Cream Station, Weare Twp. Cream Station, New Era Creamery Co., Pentwater Cream Station, Claybanks Co-op. Creamery Assn., Hart Creamery, Shelby Creamery, Walkerville Cream Station, Hesperia Cream Station, Pentwater Cream Station, Crystal Valley Cream Station,	J. L. Lindsay, Mgr., Rothbury Creamery Company, Rothbury Creamery Company, Geo. C. Myers, Mgr., Holland Crystal Creamery, J. W. Baker, Mgr., E. S. Powers Butter Co., Shelby Dairy Company, Sanitary Milk Co., Sanitary Milk Co., Dalton Creamery Co., Dalton Creamery Co.,	Rothbury. Rothbury. Rothbury. New Era. Holland. Montague, R. 1. Hart. Shelby. Grand Rapids. Grand Rapids. Muskegon. Muskegon.
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OGEMAW COUNTY.

West Branch Cream Station, Lupton Cheese Co., Milk and Cream Station, Prescott Cream Station, West Branch Cream Station, Prescott Cream Station, West Branch Cream Station,	Shedd Creamery Co., W. R. Gilbert, Mgr., Fred Walker, Fox River Butter Co., Halpin Creameries Co., Michigan Creamery Co., Seidel Creamery Co.,	Detroit. Lupton. West Branch. Detroit. Vassar. Saginaw. Bay City.
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ONTONAGON COUNTY.

Cream Station, Cream Station, Paynesville Cream Station, Ewen Creamery Co., Paynesville Cream Station, Trout Creek Cream Station, Paynesville Cream Station, Bruce Crossing Cream Station, Paynesville Cream Station, Interior Cream Station, Mass Creamery Co.,	John Benstrom, Carrol S. Brown, Bridgeman-Russell Co., C. A. Miller, C. V. Nystle & Co., Ishpeming Creamery Co., Mass Creamery Co., Duluth Creamery & Produce Co., Nicholas Pelkola, J. W. Weston, John Malila, Mgr.,	Bruce's Crossing. Bruce's Crossing. Hancock. Ewen. Paynesville. Ishpeming. Mass. Duluth, Minn. Paynesville. Marquette, Box 194. Mass.
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OSCEOLA COUNTY.

Dighton Cream Station, Marlon Cream Station (Rexford Bros.), Marlon Cream Station (A. B. McLeod), Sylvan Cream Station, Hersey Creamery Co., Ashton Cream Station, Marlon Co-op. Creamery Co., LeRoy Creamery, Hersey Cream Station, Orono Milk Depot, Ewart Cream Station, Ewart Cream Station, Ewart Creamery, Tustin Cream Station (Wyatt), Tustin Cream Station (Swanson), Reed City Cream Station, Hersey Cream Station, Tustin Cream Station,	Durand Creamery Co., Durand Creamery Co., Durand Creamery Co., Durand Creamery Co., F. D. Barbeeree, Henry Swen, John Gibson, Jr., Mgr., Wm. A. Conry, C. W. Blanchard, Ray M. Echenberg, Walter E. Titus, J. W. Davis, Geo. A. & J. M. Glerum, Swift & Company, Swift & Company, Michigan Creamery Co., Swift & Company, Sanitary Milk Co.,	Durand. Durand. Durand. Durand. Hersey. Ashton. Marlon. LeRoy. Hersey. Orono. Ewart. Ewart. Ewart. Alma. Alma. Saginaw. Alma. Grand Rapids.
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OSCODA COUNTY.

Oscoda County Creamery Co., Kneeland Cream Station,	F. F. Stutesman, Mgr., Seidel Creamery Co.,	Fairview & Detroit. Bay City.
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OTSEGO COUNTY.

Vanderbilt Cream Station, Gaylord Cream Station, Gaylord Creamery Co., Hallock Cream Station, Vanderbilt Cream Station,	Fox River Butter Co., Fox River Butter Co., A. H. Van Doran, Mgr., Seidel Creamery Co., Seidel Creamery Co.,	Detroit. Detroit. Gaylord. Bay City. Bay City.
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OTTAWA COUNTY.

Name.	Owner or Manager.	Postoffice.
Farmers Co-op. Creamery Assn.,	C. J. Lazenby, Mgr.,	Conklin.
Jamestown Co-op. Creamery Co.,	Gerret Yutema,	Hudsonville, R. 4.
Jamestown Skimming Station,	Jamestown Co-op. Creamery Co.,	Hudsonville, R. 4.
Phenix Cheese Co.,	R. A. Page,	Zeeland.
Harlem Skimming Station,	Phenix Cheese Co.,	Zeeland.
Blendon Skimming Station,	Phenix Cheese Co.,	Zeeland.
Interurban Creamery Co.,	John Van Rhee,	Hudsonville, R. 2.
Borculo Creamery Co.,	Henry Neppelink, Mgr.,	Zeeland.
Holland Crystal Creamery	C. J. Lokker, Mgr.,	Holland.
Noordeloos Skimming Station,	Holland Crystal Creamery,	Holland.
Crisp Creamery Co.,	A. J. Nienhuis, Mgr.,	Holland, R. 10.
Vriesland Creamery Co.,	M. Van Zoerem, Mgr.,	Zeeland, R. 4.
Drenthe Co-operative Creamery,	Drenthe Co-operative Creamery Co.,	Zeeland, R. 4.
Cream Station,	L. & W. Griswold, 909 Elliott St.,	Grand Haven.
Allendale Co-op. Creamery Co.,	Elmer E. Smead, Mgr.,	Hudsonville, R. 1.
Beaverdam Creamery Co.,	D. Bekins, Mgr.,	Hudsonville, R. 3.
Farmers Creamery Co.,	John VanderHelde, Mgr.,	Hudsonville.
Bauer Creamery Co.,	Henry Kantenberg,	Hudsonville, R. 1.
Eastmanville Cream Station,	Grand Rapids Creamery Co.,	Grand Rapids.
West Dennison Cream Station,	Grand Rapids Creamery Co.,	Grand Rapids.
West Olive Cream Station,	Sanitary Milk Co.,	Grand Rapids.
Coopersville Co-op. Creamery Co.,	Peter Van Allsburg, Mgr.,	Coopersville.
Nunica Skimming Station,	Coopersville Co-op. Creamery Co.,	Coopersville.
Louis Hinken Creamery,	Louis Hinken,	Coopersville.

SAGINAW COUNTY.

Brady Center Cream Station,	Flushing Butter Co.,	Flushing.
Burt Cream Station,	Flushing Butter Co.,	Flushing.
Fenmore Cream Station,	Durand Creamery Co.,	Durand.
Brant Cheese Co.,	T. A. Cook,	Brant.
Freeland Creamery,	Vasold Bros.,	Saginaw.
Frankenmuth Cheese Mfg. Co.,	L. Hubinger,	Frankenmuth.
Buena Vista Cheese Co.,	Leonard Baumgarten, Mgr.,	Saginaw, R. 4.
Frankenmuth Cheese Factory,	Hubinger Bros.,	Frankenmuth.
Gera Creamery,	John A. Rogner, Prop.,	Gera.
Merrill Cream Station,	Fox River Butter Co.,	Detroit.
Cheesaning Cream Station,	Fox River Butter Co.,	Detroit.
Freeland Cream Station,	Swift & Company,	Alma.
Merrill Cream Station,	Swift & Company,	Alma.
Union Cheese Factory,	Union Cheese Mfg. Co.,	Frankenmuth, R. 2.
Blackmar Cheese Co.,	W. A. Judd,	Fosters, R. 1.
Parker Dairy Co. Milk Depot,	C. H. Parker, Mgr.,	Saginaw.
Blrch Run Receiving Station,	Arctic Ice Cream Co.,	Detroit.
Merrill Cream Station,	Medina County Creamery Co.,	Detroit.
Merrill Cream Station,	Medina County Creamery Co.,	Detroit.
Saginaw Creamery Co.,	C. F. Berger,	Saginaw.
Oakley Creamery,	Rundell Bros., Props.,	Owosso.
Creamery and Cheese Factory,	Michigan Creamery Co.,	Saginaw.
Brant Cheese Factory,	M. G. Rogner,	Brant.
Maple Grove Elgin Butter Factory,	Adolph Bueche, Mgr.,	New Lothrop, R. F. D.
Saginaw Valley Farmers Co-op. Assn.	Saginaw Valley Farmers Co-op. Assn.	Hamilton & Lynn Sts.
Creamery,		Saginaw.
Frankentrost Creamery,	Mathias Janson, Mgr.,	Saginaw, R. 4.
Milk Depot, 334 Brown St.,	H. F. Guest & Co.,	Saginaw.
Frankenmuth Cheese Factory,	Hubinger Bros. (Renters),	Frankenmuth.
Lawndale Creamery,	C. F. Hack,	Saginaw W. S., R. 4.
Hemlock Creamery Co.,	Wm. Pahl,	Hemlock.

SANILAC COUNTY.

King Bros. Cream Station,	King Bros.,	Marlette.
Marlette Cream Station,	Shedd Creamery Co.,	Detroit.
Carsonville Cream Station,	Shedd Creamery Co.,	Detroit.
Minden City Cream Station,	Shedd Creamery Co.,	Detroit.
Brown City Cream Station,	Shedd Creamery Co.,	Detroit.
McGregor Cream Station,	Shedd Creamery Co.,	Detroit.
Melvin Cream Station,	Shedd Creamery Co.,	Detroit.
Forestville Cream Station,	Shedd Creamery Co.,	Detroit.
Greenleaf Creamery Co.,	A. McCallum, Mgr.,	Cass City, R. 1.
Union Creamery Co.,	John A. Munro, Mgr.,	Deckerville, R. 2.
Thompson Bros. Creamery,	Thompson Bros.,	Carsonville.
Port Sanilac Cream Station,	Fox River Butter Co.,	Detroit.
Croswell Creamery Co.,	I. N. Hall, Mgr.,	Croswell.
Croswell Cream Station (Hicks),	Croswell Creamery Co.,	Croswell.
Croswell Cream Station (Quall),	Croswell Creamery Co.,	Croswell.
Forestville Cream Station,	Ruth Creamery Co.,	Ruth.
Carsonville Cream Station,	Poit Huron Creamery Co.,	Port Huron.
Carsonville Cream Station,	Fox River Butter Co.,	Detroit.
Deckerville Cream Station,	Bruce & Powley,	Deckerville.
Snover Cream Station,	Towar Wayne County Creamery,	Detroit.
Palms Cream Station,	Towar Wayne County Creamery,	Detroit.
Croswell Cream Station,	Towar Wayne County Creamery,	Detroit.

STATE OF MICHIGAN.

SANILAC COUNTY.—Continued.

Name.	Owner or Manager.	Postoffice.
Forestville Cream Station,	Medina County Creamery Co.,	Detroit.
Deckerville Cream Station,	Fox River Butter Co.,	Detroit.
Croswell Cream Station,	Fox River Butter Co.,	Detroit.
Deckerville Cream Station,	Port Huron Creamery Co.,	Port Huron.
Valley Center Cream Station,	Port Huron Creamery Co.,	Port Huron.
Snover Cream Station,	Port Huron Creamery Co.,	Port Huron.
Argyle Cream Station,	Port Huron Creamery Co.,	Port Huron.
Decker Cream Station,	Port Huron Creamery Co.,	Port Huron.
Brown City Cream Station,	Michigan Creamery Co.,	Port Huron.
Peck Cream Station,	Michigan Creamery Co.,	Saginaw.
Sanilac County Creamery Co.,	John E. Ross,	Saginaw.
Brown City Cream Station,	Sanilac County Creamery Co.,	Brown City.
Shabbona Creamery,	Shabbona Creamery Co.,	Brown City.
Elmer Creamery,	Shabbona Creamery Co.,	Marlette.
Marlette Creamery,	Shabbona Creamery Co.,	Marlette.

SCHOOLCRAFT COUNTY.

Germfask Creamery,	L. M. French,	Germfask.
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SHIAWASSEE COUNTY.

Shaftsbury Cream Station,	Flushing Butter Co.,	Flushing.
Morrice Cream Station,	Bishop Creamery Co.,	Buchanan.
Carland Cheese Co.,	E. R. Darling,	Carland.
Durand Creamery,	Durand Creamery Co.,	Durand.
Byron Cream Station,	Durand Creamery Co.,	Durand.
Corunna Cream Station,	Durand Creamery Co.,	Durand.
New Lothrop Cream Station,	Durand Creamery Co.,	Durand.
Shaftsbury Cream Station,	Durand Creamery Co.,	Durand.
Vernon Cream Station,	Durand Creamery Co.,	Durand.
Lennon Creamery Co., Inc.,	D. M. Reardon, Mgr.,	Lennon.
Henderson Creamery,	John W. Epton, Prop.,	Henderson, R. F. D.
Lalingsburg Cream Station,	Fox River Butter Co.,	Detroit.
Byron Cream Station,	Swift & Company,	Alma.
Owosso Cream Station,	Swift & Company,	Alma.
New Lothrop Creamery,	D. A. Smith, Prop.,	New Lothrop.
Bancroft Cheese Factory,	MacLaren Imperial Cheese Co., Ltd.,	Detroit.
Perry Butter & Cheese Factory,	Halpin Creameries Co.,	Vassar.
Owosso Cond. Milk Factory,	Detroit Creamery Co.,	Detroit.
Owosso Cream Station,	Rundell Bros.,	Owosso.
Henderson Cheese Factory,	Henderson Cheese Co.,	Henderson.
Lalingsburg Cream Station,	Capitol City Creamery,	Lansing.
Morrice Cream Station,	Capitol City Creamery,	Lansing.

ST. CLAIR COUNTY.

Emmett Cream Station,	Durand Creamery Co.,	Durand.
Riley Center Cream Station,	Shedd Creamery Co.,	Detroit.
Doyle Cream Station,	Shedd Creamery Co.,	Detroit.
Fargo Cream Station,	Shedd Creamery Co.,	Detroit.
Germania Cheese Factory,	Frank Haug,	Marine City, R. 3.
Pine Grove Cheese Co.,	Andrew Hahn,	Marine City, R. 2.
Maple Grove Cheese Co.,	Jos. Babel,	Marine City, R. 3.
Capac Cream Station,	Freeman Dairy Co.,	Flint.
Yale Cream Station,	Freeman Dairy Co.,	Flint.
Review Cheese Co.,	Aug. Kaatz, Mgr.,	Marine City.
Locust Lawn Creamery,	L. D. Cole, Prop.,	Blaine.
Smith's Crossing Cream Station,	Fox River Butter Co.,	Detroit.
St. Clair Milk Station,	Detroit Creamery Co.,	Detroit.
Yale Cream Station,	Medina County Creamery Co.,	Detroit.
Capac Cream Station,	Medina County Creamery Co.,	Detroit.
Port Huron Creamery,	Port Huron Creamery Co.,	Port Huron.
Berville Cream Station,	Port Huron Creamery Co.,	Port Huron.
Blaine Cream Station,	Port Huron Creamery Co.,	Port Huron.
Avoca Cream Station,	Port Huron Creamery Co.,	Port Huron.
Lamb Cream Station,	Port Huron Creamery Co.,	Port Huron.
Wales Cream Station,	Port Huron Creamery Co.,	Port Huron.
Smith's Creek Cream Station,	Port Huron Creamery Co.,	Port Huron.
Capac Cream Station,	Port Huron Creamery Co.,	Port Huron.
Emmett Cream Station,	Port Huron Creamery Co.,	Port Huron.
Columbus Cream Station,	Port Huron Creamery Co.,	Port Huron.
Algonac R. F. D. Cream Station,	Port Huron Creamery Co.,	Port Huron.
Yale Cream Station,	Sanilac County Creamery Co.,	Brown City.
Milk Depot, 804 Lapeer Ave.,	Chas. T. Babcock,	Port Huron.

ST. JOSEPH COUNTY.

Mendon Creamery,	Albert Rooke,	Mendon.
Chamberlain Cream Station,	Bishop Creamery Co.,	Buchanan.
White Pigeon Cream Station,	South Bend Creamery Co.,	South Bend, Ind.

ST. JOSEPH COUNTY.—Continued.

Name.	Owner or Manager.	Postoffice.
Constantine Cream Station,	South Bend Creamery Co.,	South Bend, Ind.
Sturgis Cream Station,	South Bend Creamery Co.,	South Bend, Ind.
Burr Oak Cream Station,	South Bend Creamery Co.,	South Bend, Ind.
Moore Park Cream Station,	Michigan Butter Co.,	Kalamazoo.
Burr Oak Cream Station,	Jackson Farm Products Co.,	Jackson.
Findlay Cream Station,	Jackson Farm Products Co.,	Jackson.
Colon Cream Station,	Jackson Farm Products Co.,	Jackson.
Three Rivers Cream Station,	Homer Creamery (E. F. Campbell),	Homer.
Three Rivers Cream Station,	Towards Wayne County Creamery,	Detroit.
Burr Oak Cream Station,	Towards Wayne County Creamery,	Detroit.
Howardsville Cream Station,	Geo. P. Sunday,	Marcellus.
Constantine Co-op. Creamery Co.,	D. A. Brody, Mgr.,	Constantine.
Colon Creamery Co.,	D. L. Akey, Mgr.,	Colon.
Moore Park Cream Station,	Bishop Creamery Co.,	Buchanan.
Flowerfield Cream Station,	Sanitary Milk Co.,	Grand Rapids.
White Pigeon Cream Station,	W. M. Messner,	White Pigeon.

TUSCOLA COUNTY.

Mayville Creamery & Cheese Factory,	J. F. Courtwright & Sons,	Mayville.
Gagetown Cheese Factory,	Warner Dairy Co.,	Farmington.
Kingston Creamery,	J. W. Kenney,	Kingston.
Stone Road Cheese Mfg. Co.,	J. C. Kelnath,	Millington, R. 3.
Richville Cheese & Butter Factory,	Richville Cheese & Butter Co.,	Richville.
Millington Cream Station,	Otisville Creamery,	Otisville.
Akron Cream Station,	Swift & Company,	Alma.
Mayville Creamery Co.,	G. O. Spaulding, Mgr.,	Mayville.
Tuscola Cheese Co.,	G. W. Dimond, Mgr.,	Tuscola.
Vassar Creamery,	Halpin Creameries Co.,	Vassar.
Juniata Cream Station,	Halpin Creameries Co.,	Vassar.
Ashmore Cream Station,	Halpin Creameries Co.,	Vassar.
Arbela Cheese Factory,	Arbela Cheese Co.,	Millington.
Vassar Cream Station,	Towards Wayne County Creamery,	Detroit.
Millington Cream Station,	Towards Wayne County Creamery,	Detroit.
Caro Cream Station,	Towards Wayne County Creamery,	Detroit.
Gagetown Cream Station,	Towards Wayne County Creamery,	Detroit.
Silverwood Creamery & Cheese Factory,	A. L. Rice Est.,	Silverwood.
Kingston Cream Station,	Port Huron Creamery Co.,	Port Huron.
Akron Cream Station,	Port Huron Creamery Co.,	Port Huron.
Fairgrove Cream Station,	Michigan Creamery Co.,	Saginaw.
Caro Cream Station,	Thumb Creamery Co.,	Caro.
Fostoria Creamery,	Fred McNell, Prop.,	Fostoria.

VAN BUREN COUNTY.

Hartford Creamery Co.,	F. H. Merhring, Mgr.,	Hartford.
Bangor Cream Station,	Arthur Wakeman,	Bangor.
Gobleville Creamery Co.,	C. D. Morgan,	Gobleville.
Bangor Creamery,	Ward & Trim,	Bangor.
Paw Paw Cream Station,	Michigan Butter Co.,	Kalamazoo.
Decatur Creamery Co.,	M. S. Thomas,	Decatur.
Lawrence Creamery,	Lawrence Co-op. Creamery Co.,	Lawrence.
Hartford Creamery,	N. F. Stimpson & Son,	Hartford.
Glendale Cream Station,	Gobleville Creamery Co.,	Gobleville.
Bloomington Creamery,	Walker Creamery Co.,	Bloomingtondale.
Berlaimont Skimming Station,	Walker Creamery Co.,	Bloomingtondale.
Grand Junction Skimming Station,	Walker Creamery Co.,	Bloomingtondale.
Lyle Bishop Milk Depot,	Lyle Bishop,	Bloomingtondale.
Hartford Cream Station,	Boylard Creamery Co.,	Grand Rapids.
Grand Junction Cream Station,	Sanitary Milk Co.,	Grand Rapids.
Wilbur M. Wiley Milk Depot,	Wilbur M. Wiley,	Decatur.

WASHTENAW COUNTY.

Wurster Bros. Milk Depot,	Wurster Bros.,	Ann Arbor.
Saline Creamery Co.,	E. A. Hauser, Prop.,	Saline.
Manchester Creamery Co.,	R. S. Sorter,	Manchester.
Chelsea Cream Station,	J. S. Cummings,	Chelsea.
Dexter Cream Station,	J. S. Cummings,	Chelsea.
Milan Cream Station,	Detroit Creamery Co.,	Detroit.
Salem Milk Station,	Detroit Creamery Co.,	Detroit.
Whittaker Cream Station,	Toward Wayne County Creamery,	Detroit.
Foster Station Cream Station,	Toward Wayne County Creamery,	Detroit.
Chelsea Cream Station,	Toward Wayne County Creamery,	Detroit.
Willis Cream Station,	Medina County Creamery Co.,	Detroit.
Ann Arbor Creamery,	Tom Hankin, Prop.,	Ann Arbor.
Ypsilanti Creamery,	Ypsilanti Dairy Assn.,	Ypsilanti.
Stony Creek Skimming Station,	Ypsilanti Dairy Assn.,	Ypsilanti.
Sharon Hollow Cream Station,	Tecumseh Butter Co.,	Tecumseh.
Milan Creamery,	Lamkin & Allen Co.,	Milan.

WAYNE COUNTY.

Name.	Owner or Manager.	Postoffice.
Detroit Creamery,	Producers Creamery Co.,	Detroit.
Wayne Milk Depot,	Producers Creamery Co.,	Detroit.
Milk Depot,	Karl Krantsmann,	
	916 St. Aubin Ave.,	Detroit.
Sweltzer Creamery, 82 Cameron Ave.,	Sweltzer Creamery Co.,	Detroit.
Creamery, 182 Arndt St.,	Louis C. Fritz,	Detroit.
Creamery,	Shedd Creamery Co.,	Detroit.
Milk Depot,	E. M. Starkweather,	Northville.
Highland Park Creamery,	Geo. D. Brown, Mgr.,	Highland Park.
Rockwood Dairy Co. Depot,	Tony Schimmlate, Mgr.,	
	535 Illinois Ave.,	Detroit.
Creamery, 83 Savoy Ave.,	J. H. Wilson & Sons,	Detroit.
Ridson Creamery,	379 Linwood Ave.,	Detroit.
Fox River Butter Co.,	G. R. Eldridge,	Detroit.
Milk Depot, 2491 Grand River Ave.,	Henry Fenningsdorf,	Detroit.
Belle Isle Creamery Co.,	Henry Laethem, 282 Sheridan,	Detroit.
Clarenceville Milk Depot,	Elmer Dohany,	Farmington.
Phillip Gabel Creamery,	Phillip Gabel Creamery Co.,	Detroit.
Ideal Creamery Co.,	H. Arning, Mgr., 396 Antietam St.,	Detroit.
Belleville Milk Station,	Detroit Creamery Co.,	Detroit.
Canton Milk Station,	Detroit Creamery Co.,	Detroit.
Cherry Hill Milk Station,	Detroit Creamery Co.,	Detroit.
Elm Milk Station,	Detroit Creamery Co.,	Detroit.
Flat Rock Milk Station,	Detroit Creamery Co.,	Detroit.
Hand Milk Station,	Detroit Creamery Co.,	Detroit.
Holland Milk Station,	Detroit Creamery Co.,	Detroit.
Inkster Milk Station,	Detroit Creamery Co.,	Detroit.
Perrinsville Milk Station,	Detroit Creamery Co.,	Detroit.
Plymouth Milk Station,	Detroit Creamery Co.,	Detroit.
Preston Milk Station,	Detroit Creamery Co.,	Detroit.
Stark Milk Station,	Detroit Creamery Co.,	Detroit.
Creamery, 178 Henry St.,	Towar Wayne County Creamery,	Detroit.
Beech Cream Station,	Towar Wayne County Creamery,	Detroit.
Crook's Crossing Cream Station,	Towar Wayne County Creamery,	Detroit.
Clarenceville Cream Station,	Towar Wayne County Creamery,	Detroit.
Denton Cream Station,	Towar Wayne County Creamery,	Detroit.
Gibraltar Cream Station,	Towar Wayne County Creamery,	Detroit.
Newburg Cream Station,	Towar Wayne County Creamery,	Detroit.
Milk Depot, 241 West Ave.,	Louis Szalay,	Detroit.
Redford Receiving Station,	Arctic Ice Cream Co.,	Detroit.
Cream Station, 340 Merrick Ave.,	Harvey J. Sutton,	Detroit.
Creamery, 464½ Woodward Ave.,	Wolverine Creamery Prod. Co.,	Detroit.
Mill Road Milk Station,	John Schlaff, 277 Tillman Ave.,	Detroit.
Bell Branch Milk Station,	John Schlaff, 277 Tillman Ave.,	Detroit.
Dearborn Milk Station,	John Schlaff, 277 Tillman Ave.,	Detroit.
Inkster Milk Station,	John Schlaff, 277 Tillman Ave.,	Detroit.
Wallaceville Milk Station,	John Schlaff, 277 Tillman Ave.,	Detroit.
Trenton Milk Station,	John Schlaff, 277 Tillman Ave.,	Detroit.
Creamery, 277 Tillman Ave.,	John Schlaff,	Detroit.
Cherry Hill Skimming Station,	Ypsilanti Dairy Assn.,	Ypsilanti.
Detroit Creamery,	Detroit Creamery Co.,	Detroit.
Michael Schlaff Creamery,	Michael Schlaff, 583 Tillman Ave.,	Detroit.
Eugene F. Roy Creamery,	E. F. Roy & Son, 1018 Wabash Ave.,	Detroit.
F. R. Smith Creamery,	F. R. Smith, 63 Melrose Ave.,	Detroit.
Wyandotte Creamery,	Frank Koch,	Wyandotte.
Creamery (1262 Hastings),	Oakland County Creamery Co.,	Detroit.
Medina Creamery,	Medina County Creamery Co.,	Detroit.
Ford City Creamery,	Elmer A. LeBlanc,	Wyandotte.
Creamery (507 Grand River Ave.),	Arctic Ice Cream Co.,	Detroit.
Wyandotte Milk Depot,	Lyman Johnson,	Wyandotte.

COMMISSION MERCHANTS

COMMISSION MERCHANTS.

The following are the names and addresses of commission merchants licensed in Michigan for the year ending October 10, 1917:

A. B. Perkins Co., 109-111 Third St., Bay City.
John Carroll, 113 Third St., Bay City.
Kessler Produce Co., Saginaw St., Bay City.
A. C. Mann & Co., 474 Riopelle St., Detroit.
Weil Turnbull & Co., 19 W. Woodbridge St., Detroit.
George L. Collins & Co., 30 Market St., Detroit.
Curro & Marchi Co., 378 High St., Detroit.
Naumann Commission Co., 445 Riopelle St., Detroit.
John J. Uller, 415 Russell St., Detroit.
A. J. Bloomgarden, 33 W. Woodbridge St., Detroit.
Fred Nagel & Son, 514 18th St., Detroit.
E. M. Cole & Bro., 443 Russell St., Detroit.
D. O. Wiley & Co., 20 W. Woodbridge St., Detroit.
Chas. W. Rudd & Son, 512 W. Jefferson St., Detroit.
R. Hirt, Jr., 34-36 Market St., Detroit.
J. H. Geymann & Bro., 396 E. High St., Detroit.
Brown Produce Co., 372 High St., East, Detroit.
Frank Wise, 374 High St., East, Detroit.
Harris & Throop, 777 Michigan Ave., Detroit.
Wm. L. Benjamin, 471 Gratiot Ave., Detroit.
Fielding & Kniffin, 433 Winder St., Detroit.
Shamie Bros., 355 Russell St., Detroit.
Riopelle Market Co., 440-450 Riopelle, Detroit.
M. Bartlett, 488 18th St., Detroit.
A. J. Engleman, 526 18th St., Detroit.
A. Jacob & Co., 24 W. Woodbridge St., Detroit.
Newhall Market Co., 480-482 Riopelle St., Detroit.
J. H. Rickard Co., 27 W. Woodbridge St., Detroit.
F. P. Reynolds & Co., 40 Griswold St., Detroit.
Chavey Bros., 492 18th St., Detroit.
Rufus B. Holmes Co., 405 High St., East, Detroit.
C. H. Lahue & Co., 530 18th St., Detroit.
Detroit Beef Co., 523 Adelaide St., Detroit.
Smith Poultry & Egg Co., 26-28 Western Market, Detroit.
Chas. Brown & Co., 14-16 Market St., Detroit.
H. M. Weil & Co., 24 Market St., East, Detroit.
Purse Bros., 32 Market St., Detroit.
James N. Rose, 496 18th St., Detroit.
Theo. P. Ladue, 41 W. Woodbridge St., Detroit.
Carter & Lehr, Western Market, Detroit.
W. S. Dunn, 48 W. Market, Detroit.

Cuhotta & Jull, 409 Russell St., Detroit.
Jacob P. Stocker, 383 Russell St., Detroit.
McDonnell Carter Co., 454 Adelaide St., West, Detroit.
F. C. Kohs, 484 18th St., Detroit.
F. J. Schaffer & Co., 398 E. High St., Detroit.
Edw. Read & Son, 514 W. Jefferson Ave., Detroit.
Geo. W. Hayes & Co., 454 Riopelle St., Detroit.
Ben B. Schwartz, 373 Russell St., Detroit.
H. L. Walsh & Co., 8th & W. Jefferson Ave., Detroit.
Griggs Fuller & Co., 12th & Jefferson, Detroit.
Geo. N. Schanz & Geo. K. Schanz, 22 Market St., Detroit.
Standard Fruit Co., 363 Russell St., Detroit.
Gessner Produce Co., 377 Russell St., Detroit.
Chas. Snitz, 391 Russell St., Detroit.
Alfred Rush & Sons, 45 Woodward Ave., Detroit.
A. E. Bertrand & Co., 42 Western Market, Detroit.
Wm. D. Lane & Co., 12 Western Market, Detroit.
Rosenthal Bros., 357 Russell St., Detroit.
H. Gordon Creamery Co., 262 Winder St., Detroit.
Peter S. Scanlon & Sons, 46 Western Market, Detroit.
Jacob Wuerges & Co., 256 Napoleon St., Detroit.
Detroit United Fruit Auction Co., 507 W. Fort St., Detroit.
Andrews Bros. Co., 345 Russell St., Detroit.
Toner-Keys Commission Co., 470 Riopelle St., Detroit.
Miller Bros., 380-82 Winder St., Detroit.
Richmond Packing Co., 525 Gratiot Ave., Detroit.
Bowman-Harrow Co., 407 Russell St., Detroit.
Louis Smith & Sons, 361 Russell St., Detroit.
Louis Schiappacasse Co., 56 Woodward Ave., Detroit.
Joe Rosenfield, 359 Russell St., Detroit.
W. G. Butler, 62 Market St., Detroit.
F. W. Baldwin Co., 360 W. Jefferson Ave., Detroit.
C. & J. Vroom, 66 Market St., Detroit.
A. W. Langridge, 68 Market St., Detroit.
Smith & Fanning, 60 Eastern Market, Detroit.
J. M. Smith & Co., 41 W. Woodbridge St., Detroit.
Lardie-Fuller Co., N. Saginaw St. & 2nd Ave., Flint.
M. Piowaty & Sons, 36-40 Ottawa Ave., N. W., Grand Rapids.
The Vinkemulder Co., Grand Rapids.
Richard Early & Son, 1101 N. West St., Kalamazoo.
Swindell Taylor Co., North Church St., Kalamazoo.
Kalamazoo Cold Storage Co., 515 Walbridge St., Kalamazoo.
Michigan Butter & Egg Co., 703 E. Kalamazoo St., Lansing.
J. H. Rose Co., 209 N. Cedar St., Lansing.
Piowaty & Sons, 532 Michigan Ave., East, Lansing.
Carpenter-Cook Co., 132 Main St., Menominee.
M. Piowaty & Sons, 10-14 Terrace St., Muskegon.
Spangler Davis & Co., 101-107 N. Water St., Saginaw.
Harley B. Burdick, 101 E. Genesee St., Saginaw.
Schwartz Bros., N. Water St., Saginaw.

WEIGHTS AND MEASURES

Hon. Fred L. Woodworth,
State Dairy and Food Commissioner,
Lansing, Michigan.

Dear Sir: I herewith submit to you a report of my work as State Inspector of Weights and Measures for the year ending June 30th, 1917. The following cities in the state have been visited during the period covered in this report:

Ahmeek, Akron, Allouez, Almont, Algansee, Albion, Amey, Ann Arbor, Ashton, Augusta, Bad Axe, Bates, Batavia Centre, Belding, Belleville, Berlin, Bessemer, Bethel, Birmingham, Bloomingdale, Boyne City, Boyne Falls, Bridgeport, Britton, Brooklyn, Brutus, Butler, California, Caro, Carsonville, Caseville, Cass City, Cass Lake, Cassopolis, Channing, Charlevoix, Cheboygan, Chesterfield, Clare, Clarkston, Clifford, Climax, Clinton, Coldwater, Commerce, Comstock, Conklin, Cooperville, Covey, Crosswell, Deckerville, Detroit, Dexter, Dixboro, Douglass, East Gilead, East Lansing, East Tawas, Eaton Rapids, Elmira, Evart, Farmington, Flat Rock, French Landing, Galesburg, Galien, Greenville, Grand Haven, Girard, Goodison, Grass Lake, Grand Rapids, Grosse Pointe, Grandville, Grass Lake, Gratiot Road, Hale, Halfway, Hanover, Harbor Beach, Harbor Springs, Hart, Hartford, Hastings, Highland, Hillsdale, Holly, Halls Corners, Hodunk, Imlay City, Ionia, Ironwood, Lake Linden, Lansing, Lawton, Lawrence, Lockwood, Leonard, Lowell, Loretho, Mackinac Island, Mancelona, Manitou Beach, Marcellus, Mathison, Memphis, Milford, Midland, Michigan Center, Middleville, Minden City, Mt. Clemens, Morrison Lake, Muskegon, Muskegon Heights, Newaygo, New Baltimore, New Boston, New Buffalo, New Haven, Norway, Ortonville, Oxford, Orion, Omer, Parma, Pavilion, Paw Paw, Pentwater, Penn, Petoskey, Pewamo, Pine Lake, Pontiac, Portland, Port Hope, Pulaski, Prattville, Rochester, Romeo, Romulus, Roseville, Royal Oak, St. Ignace, St. Joseph, Sandusky, Saranac, Saugatuck, Schoolcraft, Shelby, Scotts, Sebawaing, Sparta, South Lyon, Springport, Stanton, Stamburg, Tawas City, Three Oaks, Topinabee, Traverse City, Turner, Twinning, Union City, Utica, Vandalia, Vassar, Vicksburg, Wakefield, Wakelee, Walled Lake, Waltz, Wayne, Wells, West Branch, Willis, Willow, Wixom, Ypsilanti, Zeeland.

In the performance of this work it has been my aim and intent to make it largely educational. It is surprising to learn how little the average dealer knows about his scales and the proper use and care of same. Inspectors, to do efficient work, should not only be better equipped than they are but must thoroughly understand scale construction and be able to tell whether a scale is working properly or not. Working along an educational line we have prepared for distribution a booklet of information which, it is believed, will prove useful to the public in general. This may be had on application.

A considerable amount of my time during the year just closed was spent in investigating complaints of short weight or measure coming from various parts of the state. In some instances the complaints in question were well founded; in other instances there was no justification for such complaints. While the Department is anxious to be of every possible service to the people of the state and is anxious to investigate all the complaints of merit, the public before sending in same should be reasonably sure that they have something for the inspector to work on and not put the state to the expense of investigating charges which have little or no foundation.

You will note that nothing has been done in the way of railroad track scale inspection and it is a regrettable fact that nothing can be done until such time as the state sees fit to purchase an equipment for conducting this class of work and provide for the transportation of the weights. Tests made within the state by Federal employes show that only about 25% of the railroad track scales will pass within the tolerance prescribed by the United States Bureau of Standards.

The State Annual Weights and Measures Convention was held in Detroit, June 19th to 22nd, and was attended by a large majority of the city and county sealers together with representatives of all the leading scale manufacturers who expressed a willingness to co-operate in the work of the Department, and it seemed to be the general impression of those who attended that it was by far the best convention of the kind ever held in the state.

Below you will find a summary of the work of the Department's inspectors of weights and measures during the fiscal year ending June 30th, 1917:

	Correct.	Incorrect.	Adjusted.
Railroad track scales.....		1	
Hopper scales.....	33	12	
Wagon scales.....	90	58	5
Other platform scales.....	318	95	21
Suspension scales.....	36	40	
Counter scales.....	441	185	46
Spring balances.....	22	284	1
Beam scales.....	225	48	14
Computing scales.....	1,395	562	363
Slot personal scales.....	3	4	3
Stock scales.....		2	
Cream scales.....	2	1	
Dry measures.....	1,385	331	
Liquid measures.....	327	130	
Automatic pumps.....	14	3	4
Baskets.....	1,000		
Boxes.....	4,500		
Bottles.....	48	61	
Crates.....	5,000		
Yard sticks.....	1,000		
Counter measures.....	1,689	1,283	
Tapes.....	3		
Ice cream containers.....	9,900		
Weights.....	2,818	441	32
Miscellaneous.....		3	

The following summary represents the work of the county and city sealers enumerated below for the fiscal year ending June 30th, 1917:

COUNTY SEALERS: John Anderson, Grand Traverse Co., Traverse City; Thos. M. Wells, Marquette Co., Negaunee; Fred Dolecke, Eaton Co., Charlotte; Geo. L. Smith, Chippewa Co., Sault Ste. Marie; C. J. Wuellner, Menominee Co., Menominee; Alvin A. Greer, St. Clair Co., Port Huron; Howard B. Clark, Washtenaw Co., Manchester; Pat Connors, Ontonagon Co., Matchwood; H. E. Maxson, Bay Co., Bay City; and John H. Zehnder, Saginaw Co., Saginaw.

CITY SEALERS: Randall Eberstein, Kalamazoo; Lt. Geo. F. Austin, Detroit; Ed. C. Rogers, Lansing; Geo. Eldredge, Adrian; Ed. J. Friar, Flint; Jacob Greenless, Cheboygan; John J. Byrne, Grand Rapids; Fred J. Miller, Alpena; E. J. Gatfield, Ludington; F. E. Conant, Belding; Chas. J. B. McNally, Owosso; F. W. Kuhn, Pontiac; G. A. Osborn, Jackson; Frank Van Ry, Holland; and J. W. Worden, Highland Park.

	Correct.	Incorrect.	Adjusted.
Railroad track scales	22	6	2
Hopper scales	111	10	7
Wagon scales	1,093	202	67
Other platform scales	1,767	382	147
Suspension scales	32	5	6
Counter scales	1,794	230	117
Spring balances	873	739	82
Beam scales	467	68	16
Computing scales	5,617	683	550
Slot personal scales	6	16	38
Dry measures	12,854	926	60
Liquid measures	12,876	1,112	25
Milk jars	346,461	53,859	300
Automatic pumps	1,170	137	242
Baskets	118	191
Boxes	154	11
Yard sticks	1,133	20
Counter measures	3,491	543	924
Tapes	39	12
Weights	13,172	1,845	1,590
Miscellaneous	9,452	147	90

Very respectfully submitted,
OSCAR M. EDSON,
 Inspector of Weights and Measures.

SCALES.

THEIR USE AND ABUSE.

Do you know that 90% of all scale trouble is caused by dirt and failure to give them proper care and attention? That many a perfectly good scale has been condemned when the floor, the counter or the owner should have been condemned instead?

Get your scale on a firm foundation even if you have to go to the cellar and put a post or other foundation under the part of the floor on which your scale rests. No scale can work right on a shaky floor or counter. Do not attach a meat cutter to the same counter that your

scale rests on; by doing so you shorten the life of your scale and reduce its efficiency.

See that your scale balances perfectly, or that the indicator points to 0 at all times when the scoop or platter is empty. If the indicator swings too freely and does not respond to the regulating screw, the oil is probably getting low in the dash-pot and it is well to clean the old oil and dirt all out and fill it up with fresh oil rather than to pour fresh oil in with the old. But always be sure to use the kind of oil adapted to the particular kind of scale that you use.

The city or state seal on your scale shows that they were correct on the day on which they were tested and sealed, but it is up to you, Mr. Dealer, to see that they are properly balanced and cared for at all times. It should be the duty of some particular member of every firm where scales are used to examine them at least every morning before the day's business commences and see that they are level, properly balanced and in good working condition. Every firm that uses scales should have a set of test weights—up to ten pounds, at least—and know that their scales are weighing correctly. Nothing will pay greater returns on the investment than time spent in taking care of your scales, and above all *keep them clean*. Take your family scales to the city or county sealer at least twice a year, if possible, and have them tested and know whether they are correct or not. And you, Mr. and Mrs. Consumer, learn to read your dealer's scales and know who gives you correct weight and who does not.

The Weights and Measures Department is not in business to recommend or favor any particular kind of scales, or to say or do anything to discredit any make of scales so long as they conform to the rules and regulations of the Department, but dealers who use several scales will find it greatly to their advantage to have their scales so far as possible of some one kind, as in this way it will be easier for their clerks to give good and efficient service and to become familiar with that particular kind of scale and be able to correct them should they need some slight adjustment.

If you buy a new scale buy it with the understanding that it is guaranteed to pass state inspection and report the purchase to your city or county sealer if there is a sealer in your county, if not, report the same to the State Department of Weights and Measures, Lansing, Michigan.

If you employ anyone to repair your old scales get a receipt for all money paid for the work and see that the person or firm doing the work guarantees the work to pass state inspection.

READ AND REMEMBER.

The Department of Weights and Measures aims to help and protect all honest persons whether they be producers, wholesalers, retailers or consumers, rich or poor. Every honest person, from the producer to the consumer, should cooperate with weights and measures officials to reform the short weight artist or drive him out of business for he creates a competition that no honest person can meet. Don't buy of the dealer who gives you 14 or 15 oz. for a pound or 1,800 pounds for a ton even if he does quote you an attractive price, in the end you pay more and also put a premium on dishonesty—buy of the honest dealer. The retailer should

reweigh his goods to see that he gets the correct amount from the wholesaler or producer just as the consumer should know that he is getting the correct weight or measure from the retailer. Remember that everything should be bought or sold net weight and don't include a large piece of paper or a butter dish with the weight of goods or let others do it for you.

Vegetables should be bought or sold by weight, no two persons or the same person will fill a measure twice alike, and they are unreliable at all times. Don't use a liquid measure for dry commodities. A dry quart holds 9.45 cubic inches more than a liquid quart and if you must buy or sell by measure see that the correct one is used. An ounce is not much but if each of the 20,000,000 homes in our country is short weighed an ounce a day on butter or oleomargarine at present prices it means a loss of about \$400,000 daily to the consumer.

Pay for what you get and also be sure that you get what you pay for. Shun the short weight artist. And you, Mr. and Mrs. Consumer, protect the honest dealer by helping to expose the dishonest one. Watch the scales and learn to read them.

SAFETY FIRST.

Do not buy anything except by standard weights or measures. Help to reduce the high cost of living by cooperation with weights and measures officials and trade with the honest dealer.

STOP! LOOK! AND LISTEN!

If you lose only a few cents a day by short weight or measure think what it means in a year. We are in business to protect your pocket book but if our Department is to be effective we must have your cooperation. Report all short weights or measures to city, county or state weights and measures officials but remember that the goods must be available to reweigh and prove the shortage. Using a legal measure does not excuse a person from giving the correct number of pounds for a bushel or other quantity of potatoes or other commodity. The only safe way is to weigh everything. Don't refuse to prosecute the dealer who has sold you short weight or measure and then cuss the weights and measures officials because they do not stop the practice. You must do your part if our work is to be efficient. Do not make the claim, Mr. Dealer, that you must sell potatoes and other produce by measure for the reason that the producer will not sell to you except by measure. If a producer refuses to sell to you by weight report it to the State Department of Weights and Measures and see if we cannot help you to improve his methods of doing business.

WEIGHTS OF COAL AND COKE.

The weight of a cubic foot of the various kinds of coal as given in a bulletin of the Anthracite Coal Operators' Association is as follows:

	Weight per cu. ft. lbs.	Cu. ft. per ton 2,000 lbs.
Lehigh lump.....	55.26	36.19
Lehigh cupola.....	55.52	36.02
Lehigh broken.....	56.85	35.18
Lehigh egg.....	57.74	34.63
Lehigh stove.....	58.15	34.39
Lehigh nut.....	58.26	34.32
Lehigh pea.....	53.18	37.60
Lehigh buckwheat.....	54.04	37.01
Lehigh dust.....	57.25	34.93
Free burning egg.....	56.07	35.67
Free burning stove.....	56.33	35.50
Free burning nut.....	56.88	35.16
Pittsburgh.....	46.48	43.03
Illinois.....	47.22	42.35
Connellsville coke.....	26.30	76.04
Hocking.....	49.30	40.56
Indiana block.....	43.85	45.61
Erie.....	48.07	41.61
Ohio cannel.....	49.18	40.66

. ICE.

To get the approximate weight of a block of ice, if it is not convenient to weigh it, get the number of cubic inches that it contains and divide by thirty.

DRY MEASURES.

The half bushel and parts thereof to be standard must comply with the following measurements in inches and have the capacity plainly stamped on the outside.

	Diameter.	Depth.
½ Bushel.....	13-¾	7-¼
1 Peck.....	10-7/8	5-¾
½ Peck.....	8-1/2	4-¾
¼ Peck.....	6-5/8	3-7/8
1 Quart.....	5-3/8	2-15/16
1 Pint.....	4	2-11/16

A stricken bushel is 2,150.42 cubic inches.

A heaped bushel is 2,688 cubic inches.

A crate 12 x 14 x 16 contains 2,688 cubic inches and filled level full hold a heaped bushel.

Cranberries, apples, pears, plums, peaches, as well as potatoes and all vegetables should be sold by heaped measure. Berries and small fruits, and also beans and grains of all kinds should be sold by stricken measure.

WEIGHTS PER BUSHEL.

Sixty pounds for a bushel of wheat.
 Fifty-six pounds for a bushel of rye.
 Fifty-six pounds for a bushel of shelled corn.
 Seventy pounds for a bushel of corn on the cob.
 Fifty pounds for a bushel of corn meal.
 Thirty-two pounds for a bushel of oats.
 Forty-eight pounds for a bushel of buckwheat.
 Sixty pounds for a bushel of beans.
 Sixty pounds for a bushel of clover seed.
 Forty-five pounds for a bushel of timothy seed.
 Fifty-six pounds for a bushel of flax seed.
 Forty-four pounds for a bushel of hemp seed.
 Fifty pounds for a bushel of millet or Hungarian grass seed.
 Fourteen pounds for a bushel of blue grass seed.
 Fourteen pounds for a bushel of red top seed.
 Forty-eight pounds for a bushel of barley.
 Twenty-two pounds for a bushel of dried apples.
 Twenty-eight pounds for a bushel of dried peaches.
 Sixty pounds for a bushel of potatoes.
 Fifty-six pounds for a bushel of sweet potatoes.
 Fifty-four pounds for a bushel of onions.
 Fifty-eight pounds for a bushel of turnips.
 Sixty pounds for a bushel of peas.
 Forty pounds for a bushel of cranberries.
 Twenty-eight pounds for a bushel of dried plums.
 Forty-six pounds for a bushel of castor beans.
 Fifty-six pounds for a bushel of Michigan salt.
 Eighty pounds for a bushel of mineral coal.
 Fourteen pounds for a bushel of orchard grass seed.
 Thirty-three pounds for a bushel of osage orange seed.

Apples, forty-eight pounds per bushel if bought or sold by weight.
 On account of the variation in the weight of apples, the Department does not insist on the legal weight if a standard measure is used and it is well filled.

BRIEF REFERENCE TABLES FOR SEALERS.

UNITED STATES LINEAR MEASURE.

12 inches (in.)=1 foot (ft.)
 3 feet=1 yard (yd.)=36 inches.
 5½ yards=1 rod (rd.)=16½ ft.
 320 rods=1 mile (mi.)=1760 yards=5280 feet.

CHAIN MEASURE.

7.92 inches=1 link (li.)
 100 li.=1 chain (ch.)=66 feet.
 80 ch.=1 mile (mi.)

The engineer's chain is 100 feet long and consists of 100 links.

STATE OF MICHIGAN.

SQUARE MEASURE.

144 square inches (sq. in.)=1 square foot (sq. ft.)
 9 sq. ft.=1 square yard (sq. yd.)
 $30\frac{1}{4}$ sq. yd.=1 square rod (sq. rd.)
 160 sq. rd.=1 acre (a.)

SURVEYOR'S MEASURE.

625 square links (sq. li.)=1 square rod (sq. rd.)
 16 sq. rods=1 square chain (sq. ch.)
 10 sq. ch.=1 acre (a.)
 640 a.=1 square mile (sq. mi.)
 36 sq. mi. (6 mi. sq.)=1 township (tp.)=23040 a.

CUBIC MEASURE.

1728 cubic inches (cu. in.)=1 cubic foot (cu. ft.)
 27 cu. ft.=1 cubic yard (cu. yd.)

UNITED STATES LIQUID MEASURE.

4 gills (gil.)=1 pint (pt.)
 2 pt.=1 quart (qt.)=8 gills.
 4 qt.=1 gallon (gal.)=8 pints=32 gills.
 $31\frac{1}{2}$ gal.=1 barrel (bbl.)=126 quarts.
 2 bbl.=1 hogshead (hhd.)=63 gallons=252 qts.

APOTHECARIES' FLUID MEASURE.

60 minims (m.)=1 fluid dram (fl. dr.)
 8 fl. dr.=1 fluid ounce (fl. oz.)=480 minims.
 16 fl. oz.=1 pint (p.)=128 fl. dr.=7680 m.
 8 p.=1 gallon (cong.)=128 fl. oz.=1024 fl. dr.

U. S. DRY MEASURE.

2 pints (pt.)=1 quart (qt.)
 8 qt.=1 peck (pk.)=16 pints.
 4 pk.=1 bushel (bu.)=32 quarts=64 pints.

AVOIRDUPOIS WEIGHT.

27 11-32 grains (gr.)=1 dram (dr.)
 16 dr.=1 ounce (oz.)= $437\frac{1}{2}$ grains.
 16 oz.=1 pound (lb.)=156 drams=7000 grains.
 100 lbs.=1 hundredweight (cwt.)=1600 ounces.
 20 cwt.=1 ton (t.)=2000 pounds.

TROY WEIGHT.

24 grains (gr.)=1 pennyweight (dwt.)
 20 dwt.=1 ounce (oz.)=480 grains.
 12 oz.=1 pound (lb.)=240 dwt.=5760 gr.

APOTHECARIES' WEIGHT.

20 grains (gr.)=1 scruple (℥)
 3 (℥)=1 dram (ʒ=60 gr.)
 8 ʒ=1 ounce (℥)=24 ℥=480 gr.
 12 ℥=1 pound (lb.)=96 ʒ=288 ℥=5760 gr.

Number of cubic inches in U. S. standard capacity measures:

LIQUID MEASURE.

1 gallon contains 231 cu. in.
 ½ gallon contains 115.5 cu. in.
 1 quart contains 57.75 cu. in.
 1 pint contains 28.875 cu. in.
 ½ pint contains 14.473 cu. in.
 1 gill contains 7.218 cu. in.
 1 fluid oz. contains 1.804 cu. in.
 1 dram contains .225 cu. in.

DRY MEASURE.

1 bushel contains 2150.42 cu. in.
 ½ bushel contains 1075.21 cu. in.
 1 peck contains 537.60 cu. in.
 ½ peck contains 268.80 cu. in.
 ¼ peck contains 134.40 cu. in.
 1 quart contains 67.20 cu. in.
 1 pint contains 33.60 cu. in.
 ½ pint contains 16.80 cu. in.

For any further information in regard to weights and measures address Department of Weights and Measures, Lansing, Michigan. This department is anxious to be of every possible service to the public but in sending in complaints please be reasonably sure that you have something for an inspector to work on and be willing to co-operate with him so as to avoid unnecessary expense to the department.

AN ACT to fix the standard barrel for fruits, vegetables, and other dry commodities.

(Act No. 88, Session Laws of 1917.)

Section 1. *The People of the State of Michigan enact:* The standard barrel for fruits, vegetables, and other dry commodities other than cranberries shall be of the following dimensions when measured without distention of its parts: Length of staves, twenty-eight and one-half inches; diameter of heads, seventeen and one-eighth inches; distance between heads, twenty-six inches; circumference of bulge, sixty-four inches, outside measurement; and the thickness of staves not greater than four-tenths of an inch: Provided, That any barrel of a different form

having a capacity of seven thousand fifty-six cubic inches shall be a standard barrel. The standard barrel for cranberries shall be of the following dimensions when measured without distention of its parts: length of staves, twenty-eight and one-half inches; diameter of heads, sixteen and one-fourth inches; distance between heads, twenty-five and one-fourth inches; circumference of bulge, fifty-eight and one-half inches, outside measurement; and the thickness of staves not greater than four-tenths of an inch.

Sec. 2. It shall be unlawful to sell, offer, or expose for sale in this State, or to ship from this State, to any other state, territory, or the District of Columbia or to a foreign country, a barrel containing fruits or vegetables or any other dry commodity of less capacity than the standard barrels defined in the first section of this act, or subdivisions thereof known as the third, half, and three quarter barrel, and any person guilty of a wilful violation of any of the provisions of this act shall be deemed guilty of a misdemeanor and be liable to a fine not to exceed one hundred dollars, in any court of this State having jurisdiction: Provided, however, That no barrel shall be deemed below standard within the meaning of this act when shipped to any foreign country and constructed according to the specifications or directions of the foreign purchaser if not constructed in conflict with the laws of the foreign country to which the same is intended to be shipped.

Sec. 3. Reasonable variation shall be permitted and tolerance established by rules and regulations made by the director of the bureau of standards and approved by the Secretary of Commerce. Prosecutions for offenses under this act may be begun upon complaint of local sealers of weights and measures or other officer of the State appointed to enforce the laws of the said State, relating to weights and measures: Provided, however, That nothing in this act shall apply to barrels used in packing or shipping commodities sold exclusively by weight or numerical count.

Sec. 4. This act shall be in force and effect from and after the first day of September, nineteen hundred seventeen.

Sec. 5. An act entitled "An act to regulate the size of dry or packing barrels for fruits, roots and vegetables," being section six thousand two hundred fifty-four of the Compiled Laws of nineteen hundred fifteen, be and the same is hereby repealed.

PROSECUTIONS

STATEMENT OF PROSECUTIONS.

FISCAL YEAR ENDING JUNE 30, 1917.

Cases pending July 1, 1916.....	47
Cases commenced during fiscal year.....	51

CASES DISPOSED OF:

Before examining magistrates:	
Defendants bound over	10
Defendants discharged	40
In trial courts:	
Defendants convicted	39
Defendants acquitted	0
Cases pending July 1, 1917.....	19

COURT PROCEEDINGS.

FISCAL YEAR ENDING JUNE 30, 1917.

CASE NO. 861.

PEOPLE VS. ISAAC VAN WESTENBRUGGE.

Charge: Selling adulterated lard.

In police court, city of Grand Rapids. May 5, 1913: Complaint made. June 26, 1913: Defendant convicted. Case appealed. Discontinued.

CASE NO. 1093.

PEOPLE VS. F. G. LAFER.

Charge: Deceptive advertising.

In police court, city of Detroit. April 1, 1914: Complaint made. Defendant bound over to recorder's court for trial. January 6, 1917: Case nolle prossed.

CASE NO. 1094.

PEOPLE VS. F. G. LAFER.

Charge: Deceptive advertising.

In police court, city of Detroit. April 1, 1914: Complaint made. Defendant bound over to recorder's court for trial. February 21, 1917: Case nolle prossed.

CASE NO. 1167.

PEOPLE VS. FRANK WALTMAN.

Charge: Selling sausage containing excessive cereal.

In police court, city of Bay City. July 7, 1914: Complaint made. Defendant

STATE OF MICHIGAN.

waived examination and was bound over to circuit court for trial. Defendant entered a plea of guilty. Sentence suspended.

CASE NO. 1168.

PEOPLE VS. PAUL WALTER.

Charge: Selling sausage containing excessive cereal.

In police court, city of Bay City. July 7, 1914: Complaint made. Defendant waived examination and was bound over to circuit court for trial. Defendant entered a plea of guilty. Sentence suspended.

CASE NO. 1169.

PEOPLE VS. ED. L. BAUMGARTEN.

Charge: Selling sausage containing excessive cereal.

In police court, city of Bay City. July 7, 1914: Complaint made. Defendant waived examination and was bound over to circuit court for trial. Defendant entered a plea of guilty. Sentence suspended.

CASE NO. 1170.

PEOPLE VS. CONRAD GUNTERMAN.

Charge: Selling sausage containing excessive cereal.

In police court, city of Bay City. July 7, 1914: Complaint made. Defendant waived examination and was bound over to circuit court for trial. Defendant entered a plea of guilty. Sentence suspended.

CASE NO. 1172.

PEOPLE VS. GEO. ZIMMER.

Charge: Selling sausage containing excessive cereal.

In police court, city of Bay City. July 7, 1914: Complaint made. Defendant waived examination and was bound over to circuit court for trial. Defendant entered a plea of guilty. Sentence suspended.

CASE NO. 1173.

PEOPLE VS. CHAS. C. SCHULTZ.

Charge: Selling sausage containing excessive cereal.

In police court, city of Bay City. July 7, 1914: Complaint made. Defendant waived examination and was bound over to circuit court for trial. Defendant entered a plea of guilty. Sentence suspended.

CASE NO. 1174.

PEOPLE VS. STANLEY WOJCIECHOWSKI.

Charge: Selling sausage containing excessive cereal.

In police court, city of Bay City. July 7, 1914: Complaint made. Defendant waived examination and was bound over to circuit court for trial. Defendant entered a plea of guilty. Sentence suspended.

CASE NO. 1175.

PEOPLE VS. VALENTINE HADYNSKI.

Charge: Selling sausage containing excessive cereal.

In police court, city of Bay City. July 7, 1914: Complaint made. Defendant waived examination and was bound over to circuit court for trial. Defendant entered a plea of guilty. Sentence suspended.

CASE NO. 1176.

PEOPLE VS. JOSEPH BUDZINSKI.

Charge: Selling sausage containing excessive cereal.
In police court, city of Bay City. July 7, 1914: Complaint made. Defendant waived examination and was bound over to circuit court for trial. Defendant entered a plea of guilty. Sentence suspended.

CASE NO. 1202.

PEOPLE VS. HENRY BARBER.

Charge: Selling sausage containing excessive cereal.
In justice court, city of Cheboygan. August 4, 1914: Complaint made. Defendant bound over to circuit court for trial. Case discontinued.

CASE NO. 1249.

PEOPLE VS. WM. E. HAZELL.

Charge: Not stamping sausage containing cereal.
In justice court, city of Alpena. September 17, 1914: Complaint made. Bound over to circuit court for trial. Case discontinued.

CASE NO. 1251.

PEOPLE VS. CHRIS NILSON.

Charge: Selling sausage containing excessive cereal.
In justice court, city of Alpena. September 17, 1914: Complaint made. Defendant bound over to circuit court for trial. Case discontinued.

CASE NO. 1252.

PEOPLE VS. W. J. GABRYSIAC.

Charge: Selling sausage containing cereal without stamping.
In justice court, city of Alpena. September 17, 1914: Complaint made. Defendant bound over to circuit court for trial. Case discontinued.

CASE NO. 1253.

PEOPLE VS. JOHN B. MARKOWSKI.

Charge: Selling sausage containing excessive cereal.
In justice court, city of Alpena. September 17, 1914: Complaint made. Defendant bound over to circuit court for trial. Case discontinued.

CASE NO. 1254.

PEOPLE VS. LOUIS T. ST. ONGE.

Charge: Selling sausage containing excessive cereal.
In justice court, city of Alpena. September 14, 1914: Complaint made. Defendant bound over to circuit court for trial. Case discontinued.

CASE NO. 1255.

PEOPLE VS. M. A. SHUBERT.

Charge: Selling sausage containing cereal without stamping.
In justice court, city of Alpena. September 14, 1914: Complaint made. Defendant bound over to circuit court for trial. Case discontinued.

STATE OF MICHIGAN.

CASE NO. 1256.

PEOPLE VS. J. LOUIS ST. JOHN.

Charge: Selling sausage containing excessive cereal.
In justice court, city of Alpena. September 17, 1914: Complaint made. Defendant bound over to circuit court for trial. Case discontinued.

CASE NO. 1257.

PEOPLE VS. DAN DUCHENE.

Charge: Selling sausage containing excessive cereal.
In justice court, city of Alpena. September 17, 1914: Complaint made. Defendant bound over to circuit court for trial. Case discontinued.

CASE NO. 1258.

PEOPLE VS. ALBERT KRUGER.

Charge: Selling sausage containing excessive cereal.
In justice court, city of Alpena. September 17, 1914: Complaint made. Defendant bound over to circuit court for trial. Case discontinued.

CASE NO. 1260.

PEOPLE VS. J. WALLE & SON.

Charge: Selling sausage containing cereal without stamping.
In justice court, city of Alpena. September 17, 1914: Complaint made. Defendant bound over to circuit court for trial. Case discontinued.

CASE NO. 1261.

PEOPLE VS. WM. H. BEEK.

Charge: Sale of adulterated butter.
In police court city of Detroit. September 18, 1914: Complaint made. Defendant bound over to recorder's court for trial. Defendant entered a plea of guilty.

CASE NO. 1298.

PEOPLE VS. FRANK NOA.

Charge: Using excessive cereal in the manufacture of sausage.
In justice court, city of Gaylord. November 11, 1914: Complaint made. Defendant waived examination and was bound over to circuit court for trial. Case discontinued.

CASE NO. 1307.

PEOPLE VS. CHAS. MORAL.

Charge: Selling colored oleomargarine for butter.
In police court, city of Detroit. November 28, 1914: Complaint made. Information quashed and defendant discharged.

CASE NO. 1308.

PEOPLE VS. THOS. M. FAUST.

Charge: Selling oleomargarine for butter.
In police court, city of Detroit. November 28, 1914: Complaint made. Information quashed and defendant discharged.

CASE NO. 1309.

PEOPLE VS. C. L. FIXLEY.

Charge: Selling colored oleomargarine.
In police court, city of Detroit. November 28, 1914: Complaint made. December 29, 1914: Examination held. Case dismissed.

CASE NO. 1310.

PEOPLE VS. H. B. MILES.

Charge: Selling oleomargarine for butter.
In police court, city of Detroit. November 28, 1914: Complaint made. Information quashed and defendant discharged.

CASE NO. 1311.

PEOPLE VS. FRANK ARENS.

Charge: Selling colored oleomargarine for butter.
In police court, city of Detroit. November 28, 1914: Complaint made. Information quashed and defendant discharged.

CASE NO. 1312.

PEOPLE VS. W. H. GREEN.

Charge: Selling colored oleomargarine for butter.
In police court, city of Detroit. November 28, 1914: Complaint made. Information quashed and defendant discharged.

CASE NO. 1313.

PEOPLE VS. FRED RAULO.

Charge: Selling oleomargarine artificially colored.
In police court, city of Detroit. November 28, 1914: Complaint made. Information quashed and defendant discharged.

CASE NO. 1314.

PEOPLE VS. WM. LEWIS.

Charge: Selling oleomargarine artificially colored.
In police court, city of Detroit. November 28, 1914: Complaint made. Information quashed and defendant discharged.

CASE NO. 1315.

PEOPLE VS. ALEX M. WRIGHT.

Charge: Selling oleomargarine artificially colored.
In police court, city of Detroit. November 28, 1914: Complaint made. Information quashed and defendant discharged.

CASE NO. 1316.

PEOPLE VS. JOHN B. SALES.

Charge: Selling oleomargarine artificially colored.
In police court, city of Detroit. November 28, 1914: Complaint made. Information quashed and defendant discharged.

STATE OF MICHIGAN.

CASE NO. 1364.

PEOPLE VS. CLEM BREWER.

Charge: Using excessive cereal in the manufacture of sausage.

In justice court, city of Ithaca. January 5, 1915: Complaint made. Defendant waived examination and was bound over to circuit court for trial. Case discontinued.

CASE NO. 1399.

PEOPLE VS. GEO. E. MCKENZIE.

Charge: Selling sausage containing excessive cereal.

In justice court of Gaylord. April 2, 1915: Complaint made. Case discontinued.

CASE NO. 1415.

PEOPLE VS. ALEX VELLAMAN.

Charge: Deceptive advertising.

In police court, city of Kalamazoo. May 24, 1915: Complaint made. Case discontinued.

CASE NO. 1466.

PEOPLE VS. ERNEST TYSON.

Charge: Selling tainted meat.

In justice court, city of Battle Creek. August 9, 1915: Complaint made. Case discontinued.

CASE NO. 1499.

PEOPLE VS. EMPIRE FRUIT FARM.

Charge: Packing peaches so that the faced or shown surface gave a false representation of the contents of the basket.

In justice court, city of St. Joseph. October 22, 1915: Complaint made. Case discontinued.

CASE NO. 1519.

PEOPLE VS. EDW. W. BECKETT.

Charge: Selling hamburger steak containing sulphites.

In justice court of Sandusky. December 29, 1915: Complaint made. Case discontinued.

CASE NO. 1529.

PEOPLE VS. WM. DUKE.

Charge: Selling diseased beef.

In police court, city of Sault Ste. Marie. February 3, 1916: Complaint made. Case discontinued.

CASE NO. 1532.

PEOPLE VS. GEORGE SERR.

Charge: Selling diseased meat.

In justice court of Corunna, March 8, 1916: Complaint made. March 8, 1916: Examination held. Bound over to circuit court for trial: Defendant entered a plea of guilty. Fined \$25 and costs.

CASE NO. 1533.

PEOPLE VS. JOSEPH STARK.

Charge: Sale of diseased meat.
In municipal court of Owosso. March 14, 1916: Complaint made. March 15, 1916: Examination held. Bound over to circuit court for trial. Defendant entered a plea of guilty. Fined \$25 and costs.

CASE NO. 1542.

PEOPLE VS. LLOYD C. BROWN.

Charge: Sale of adulterated cream.
In justice court, city of Port Huron. April 24, 1916: Complaint made. May 5, 1916: Examination held. Bound over to circuit court for trial. November 14, 1916: Defendant convicted.

CASE NO. 1549.

PEOPLE VS. WALTER J. KLEES.

Charge: Sale of colored oleomargarine.
In justice court of Highland Park. June 6, 1916: Complaint made. Case pending.

CASE NO. 1551.

PEOPLE VS. EDWARD GOULD, AGENT FOR ARMOUR & CO.

Charge: Sale of infected pork.
In justice court, city of Battle Creek. June 21, 1916: Complaint made. July 21, 1916: Examination held. Bound over to circuit court for trial. September 20, 1916: Defendant convicted. Fined \$25 and costs.

CASE NO. 1552.

PEOPLE VS. SOTIROS LOUCKES.

Charge: Sale of short measure ice cream.
In police court, city of Jackson. July 6, 1916: Complaint made. Defendant entered a plea of guilty. Fined \$20 and costs.

CASE NO. 1553.

PEOPLE VS. HENRY WILKE.

Charge: Selling potatoes short weight.
In justice court of Escanaba. July 11, 1916: Complaint made. Defendant entered a plea of guilty. Fined \$20 and costs.

CASE NO. 1554.

PEOPLE VS. MRS. J. CURRAN.

Charge: Serving oleomargarine in hotel without displaying sign.
In justice court of Escanaba. July 13, 1916: Complaint made. Case dismissed on payment of costs.

CASE NO. 1555.

PEOPLE VS. FRANK A. REUTHER.

Charge: Deceptive advertising.
In police court, city of Detroit. July 14, 1916: Complaint made. Bound over to recorders court for trial. Case discontinued.

STATE OF MICHIGAN.

CASE NO. 1556.

PEOPLE VS. CHAS. E. BROWN.

Charge: Sale of adulterated milk.
In justice court, city of Battle Creek. July 24, 1916: Complaint made. Defendant entered a plea of guilty. Fined \$25 and costs.

CASE NO. 1557.

PEOPLE VS. HARVEY A. HUEY.

Charge: Sale diseased beef.
In municipal court, city of Pontiac. July 25, 1916: Complaint made. Defendant entered a plea of guilty. Fined \$25.

CASE NO. 1558.

PEOPLE VS. TOM O. DROUILLARD.

Charge: Removing tag from scale and hindering inspector.
In municipal court, city of Pontiac. July 25, 1916: Complaint made. Case dismissed.

CASE NO. 1560.

PEOPLE VS. WALTER BLAIR (Mayville).

Charge: Shipping insanitary ice cream cans.
In justice court of Indianfields Twp., Tuscola county. August 15, 1916: Complaint made. Defendant entered a plea of guilty. Sentence suspended on payment of costs.

CASE NO. 1561.

PEOPLE VS. E. P. HOFFMAN.

Charge: Conducting an insanitary restaurant.
In justice court of Laurium. August 29, 1916: Complaint made. Defendant entered a plea of guilty. Fined \$5 and costs.

CASE NO. 1562.

PEOPLE VS. WALTER VASOLD.

Charge: Sale of insanitary cream.
In justice court, city of Saginaw. August 24, 1916: Complaint made. Defendant entered a plea of guilty. Fined \$10 and costs.

CASE NO. 1563.

PEOPLE VS. LLOYD C. BROWN.

Charge: Violation of Babcock test law.
In justice court, city of Port Huron. August 18, 1916: Complaint made. Case pending.

CASE NO. 1564.

PEOPLE VS. PETER TIMMER.

Charge: Selling ice cream below standard.
In police court, city of Grand Rapids. September 1, 1916: Complaint made. Case nolle prossed.

CASE NO. 1565.

PEOPLE VS. CHRIST JENSEN.

Charge: Conducting an insanitary bakery.
In justice court, city of Marquette. September 7, 1916: Complaint made. Defendant entered a plea of guilty. Fined \$5 and costs.

CASE NO. 1566.

PEOPLE VS. OSCAR NORDSTROM.

Charge: Selling potatoes short weight.
In justice court of Hancock. September 16, 1916: Complaint made. Defendant entered a plea of guilty. Fined \$20 and costs.

CASE NO. 1567.

PEOPLE VS. CHAS. E. BIRD.

Charge: Sale of adulterated Tr. Iodine.
In justice court city of Allegan. September 18, 1916: Complaint made. October 2, 1916: Defendant entered a plea of guilty. Fined \$25 and costs.

CASE NO. 1568.

PEOPLE VS. KENNY CIDER VINEGAR CO.

Charge: Sale of adulterated vinegar.
In justice court, city of St. Joseph. September 23, 1916: Complaint made. Case nolle prossed.

CASE NO. 1569.

PEOPLE VS. BOACH & SEEBER CO.

Charge: Selling potatoes short weight.
In justice court of Ishpeming. October 4, 1916: Complaint made. Defendant entered a plea of guilty. Fined \$25 and costs.

CASE NO. 1570.

PEOPLE VS. ALEXANDER S. YARED.

Charge: Selling potatoes short weight.
In police court, city of Grand Rapids. October 18, 1916: Complaint made. Defendant entered a plea of guilty. Fined \$20 and costs.

CASE NO. 1571.

PEOPLE VS. FRANK C. BEARD.

Charge: Selling potatoes short weight.
In police court, city of Grand Rapids. October 18, 1916: Complaint made. Defendant entered a plea of guilty. Fined \$20 and costs.

CASE NO. 1572.

PEOPLE VS. A. EKKENS.

Charge: Selling potatoes short weight.
In police court, city of Grand Rapids. October 18, 1916: Complaint made. Defendant entered a plea of guilty. Fined \$20 and costs.

STATE OF MICHIGAN.

CASE NO. 1573.

PEOPLE VS. RUSSELL PEPPER.

Charge: Sale of adulterated milk.

In justice court of Dowagiac. October 17, 1916: Complaint made. Defendant entered a plea of guilty. Fined \$2 and costs.

CASE NO. 1574.

PEOPLE VS. AXEL KOLINEN (Strand Restaurant.)

Charge: Conducting an insanitary restaurant.

In justice court of Ironwood. November 22, 1916: Complaint made. Defendant entered a plea of guilty. Fined \$5 and costs.

CASE NO. 1575.

PEOPLE VS. GLADWIN BUTTER CO.

Charge: Sale adulterated creamery butter.

In justice court of Gladwin. November 28, 1916: Complaint made. Defendant entered a plea of guilty. Sentence suspended.

CASE NO. 1576.

PEOPLE VS. FRED MERWINGER.

Charge: Conducting an insanitary dairy.

In justice court of Manistique. December 8 1916: Complaint made. Defendant entered a plea of guilty. Fined \$5 and costs.

CASE NO. 1577.

PEOPLE VS. CARTER & LEHR.

Charge: Conducting commission business without license.

In police court, city of Detroit. December 15, 1916: Complaint made. License paid, defendants discharged.

CASE NO. 1578.

PEOPLE VS. EDWARD GOULD, AGENT FOR ARMOUR & CO.

Charge: Selling stale eggs as fresh eggs.

In justice court, city of Battle Creek. December 26, 1916: Complaint made. Case discontinued.

CASE NO. 1579.

PEOPLE VS. GEHART WUEBREN.

Charge: Selling adulterated milk.

In justice court of Hancock. January 3, 1917: Complaint made. Defendant entered a plea of guilty. Fined \$5 and costs.

CASE NO. 1580.

PEOPLE VS. JAMES ROBERTS.

Charge: Sale of adulterated milk.

In justice court of Ishpeming. February 6, 1917: Complaint made. Defendant entered a plea of guilty. Fined \$5 and costs.

CASE NO. 1581.

PEOPLE VS. ART CONLEY.

Charge: Feeding old, decrepit horses to hogs.
In justice court of Hancock. February 7, 1917: Complaint made. Defendant entered a plea of guilty. Fined \$10.

CASE NO. 1582.

PEOPLE VS. MRS. GEO. WAITE.

Charge: Manufacturing and selling oleomargarine for butter.
In justice court of Cheboygan. April 18, 1917: Complaint made. Defendant entered a plea of guilty. Fined \$50.

CASE NO. 1583.

PEOPLE VS. LOUIS SIMONS.

Charge: Feeding unwholesome food to hogs.
In police court, city of Muskegon. April 19, 1917: Complaint made. Defendant entered a plea of guilty. Fined \$50 and costs.

CASE NO. 1584.

PEOPLE VS. JOSEPH SIMONS.

Charge: Feeding unwholesome food to hogs.
In police court, city of Muskegon. April 19, 1917: Complaint made. Defendant entered a plea of guilty. Fined \$50 and costs.

CASE NO. 1585.

PEOPLE VS. PETER TIMMER.

Charge: Selling ice cream below standard.
In police court, city of Grand Rapids. May 1, 1917: Complaint made. Defendant entered a plea of guilty. Fined \$25 and costs.

CASE NO. 1586.

PEOPLE VS. W. D. KING, (King's Inn Hotel).

Charge: Serving colored oleomargarine.
In justice court of Ishpeming. May 1, 1917: Complaint made. Defendant entered a plea of guilty. Fined \$50 and costs.

CASE NO. 1587.

PEOPLE VS. J. EARL PATE.

Charge: Selling adulterated butter.
In police court, city of Detroit. May 8, 1917: Complaint made. June 19, 1917: Examination held. Case pending.

CASE NO. 1588.

PEOPLE VS. J. EARL PATE.

Charge: Selling colored oleomargarine.
In police court, city of Detroit. May 8, 1917: Complaint made. June 19, 1917: Examination held. Case pending.

STATE OF MICHIGAN.

CASE NO. 1589.

PEOPLE VS. HARRY THIRKOS.

Charge: Selling renovated butter in restaurant without displaying placard.
In police court, city of Detroit. May 15, 1917: Complaint made. May 23, 1917:
Defendant bound over to recorder's court for trial. Case pending.

CASE NO. 1590.

PEOPLE VS. GUS MORRIS & CHRIS CARRAS.

Charge: Selling renovated butter in restaurant without displaying placard.
In police court, city of Detroit. May 15, 1917: Complaint made. May 23, 1917:
Defendant bound over to recorder's court for trial. Case pending.

CASE NO. 1591.

PEOPLE VS. FRANK BEEVIS.

Charge: Selling renovated butter in restaurant without displaying placard.
In police court, city of Detroit. May 15, 1917: Complaint made. Bound over
to recorder's court for trial. Case pending.

CASE NO. 1592.

PEOPLE VS. GUST PAPPAS & PETER CHREST.

Charge: Selling renovated butter in restaurant without displaying placard.
In police court, city of Detroit. May 15, 1917: Complaint made. May 23, 1917:
Defendant bound over to recorder's court for trial. Case pending.

CASE NO. 1593.

PEOPLE VS. HERMAN P. COHEN.

Charge: Selling renovated butter as and for dairy butter.
In police court, city of Detroit. May 22, 1917: Complaint made. Bound over to
recorders court for trial. Case pending.

CASE NO. 1594.

PEOPLE VS. THOS. M. FAUST.

Charge: Selling colored oleomargarine.
In police court, city of Detroit. May 29, 1917: Complaint made. Case pending.

CASE NO. 1595.

PEOPLE VS. ANTHONY SZTOMBER.

Charge: Selling misbranded ginger ale.
In police court, city of Detroit. June 28, 1917: Complaint made. Case pending.

CASE NO. 1596.

PEOPLE VS. JAMES MC CABE.

Charge: Selling colored oleomargarine.
In police court, city of Detroit. June 28, 1917: Complaint made. Case pending.

CASE NO. 1597.

PEOPLE VS. WILLIAM H. HIGGINS.

Charge: Selling colored oleomargarine.
In police court, city of Detroit. June 28, 1917: Complaint made. Case pending.

CASE NO. 1598.

PEOPLE VS. JAMES MC CABE.

Charge: Selling adulterated butter.
In police court, city of Detroit. June 28, 1917: Complaint made. Case pending.

CASE NO. 1599.

PEOPLE VS. JOHN S. LITTLE & CHAS. A. LITTLE.

Charge: Selling adulterated spirits nitre.
In police court, city of Detroit. June 29, 1917: Complaint made. Case pending.

CASE NO. 1600.

PEOPLE VS. B. L. REYNATO.

Charge: Selling adulterated spirits nitre.
In police court, city of Detroit. June 29, 1917: Complaint made. Case pending.

CASE NO. 1601.

PEOPLE VS. HOWARD S. CARPENTER.

Charge: Selling adulterated spirits nitre.
In police court, city of Detroit. June 29, 1917: Complaint made. Case pending.

CASE NO. 1602.

PEOPLE VS. NATHAN A. LIPPOW.

Charge: Selling adulterated Tr. iodine.
In police court, city of Detroit. June 29, 1917: Complaint made. Case pending.

FINANCIAL STATEMENT

FINANCIAL STATEMENT.

From July 1, 1916 to June 30, 1917.

Funds available July 1, 1916.....	\$35,000 00
Fees collected for registration of creameries, cheese factories, cream stations, milk depots, etc.....	6,085 00
Fees collected for ice cream manufacturers' licenses.....	*1,860 00
Fees collected for milk dealers licenses.....	2,030 00
Fees collected for commission merchants' licenses.....	1,890 00
Fees collected for carbonated beverage licenses.....	1,230 00
Fees collected for syrup licenses.....	95 00
Miscellaneous	43 37
	\$48,283 37

DISBURSEMENTS.

James W. Helme, Commissioner, salary.....	\$1,083 33
B. B. Lincoln, Deputy Commissioner, salary.....	812 50
Fred L. Woodworth, Commissioner, salary.....	916 67
Burton F. Browne, Deputy Commissioner, salary.....	687 50
A. R. Todd, State Analyst, salary.....	2,000 00
M. J. Smith, Chief Clerk, salary.....	1,650 00
W. C. Geagley, Assistant Chemist, salary.....	1,183 20
Ida M. Harris, Clerk, salary.....	1,125 00
Pauline Phillips, Clerk, salary.....	314 20
Gladys Dame, Clerk, salary.....	235 00
H. D. Wendt, Clerk, salary.....	1,500 00
Lillian Pomeroy Clerk, salary.....	79 20
Ruth Hoare, Clerk, salary.....	430 76
Charlotte Marshall, Clerk, salary.....	471 77
James W. Helme, Clerk, salary.....	550 00
Rose V. Schwinn, Clerk, salary.....	338 71
Waldo L. Scovill, Clerk, salary.....	711 10
Gertrude H. Longyear, Clerk, salary.....	736 72
Gertrude L. Woodworth, Clerk, salary.....	474 83
Sarah Houck, Clerk, salary.....	137 77
Grace McArron, Clerk, salary.....	98 90
John T. Rowe, Clerk, salary.....	313 19
John T. Rowe, Regular Inspector, salary.....	791 21
C. V. Jones, Regular Inspector, salary.....	1,000 00
James E. Helber, Regular Inspector, salary.....	541 67
Wm. J. Mickel, Regular Inspector salary.....	1,000 00
R. E. Woodruff, Regular Inspector, salary.....	1,000 00
Chas. R. Webb, Regular Inspector, salary.....	750 00
F. M. Dillon, Regular Inspector, salary.....	84 20
Eugene P. Berry, Regular Inspector, salary.....	1,000 00
O. M. Edson, Regular Inspector, salary.....	831 60
C. E. Swift, Regular Inspector, salary.....	438 90
Lynn E. Wagley, Regular Inspector, salary.....	167 60
Chas. J. Cook, Regular Inspector, salary.....	167 60
Burr B. Lincoln, Special Inspector, salary.....	42 00
Myra C. Wheelan, Special Inspector, salary.....	510 00

*\$5 of this amount was refunded from last year's receipts.

STATE OF MICHIGAN.

Thos. J. Kelly, Special Inspector, salary.....	\$783 00
O. M. Edson, Special Inspector, salary.....	159 00
Theo. N. Eiler, Special Inspector, salary.....	510 00
A. A. Greer, Special Inspector, salary.....	75 00
Edmund Sauve, Special Inspector, salary.....	198 00
F. E. Niles, Special Inspector, salary.....	192 00
Wm. H. Welsh, Special Inspector, salary.....	54 00
D. A. Patterson, Special Inspector, salary.....	414 00
Katherine Atkinson, Special Inspector, salary.....	417 00
Wm. DeLand, Special Inspector, salary.....	78 00
C. H. Howson, Special Inspector, salary.....	78 00
James H. Jacklin, Special Inspector, salary.....	78 00
Chas. H. Petrosky, Special Inspector, salary.....	78 00
Grace G. Browne, Special Inspector, salary.....	30 00
L. A. Knapp, Special Inspector, salary.....	12 00
Leslie Scott, Sr., Special Inspector, salary.....	39 00
Wm. J. Remus, Special Inspector, salary.....	9 00
E. H. Shuler, Clerk and Messenger, salary.....	179 75
George Smalley, Clerk and Messenger, salary.....	14 64
James E. Helber, Special Inspector, salary.....	432 00
Postage	1,404 92
Chemicals, laboratory supplies, etc.....	1,788 31
General expenses (see statement following).....	16,923 16
By balance	161 46
	<hr/>
	\$48,283 37

*GENERAL EXPENSE INCLUDES:

James W. Helme, expenses.....	\$266 60
Burr B. Lincoln, expenses.....	295 08
M. J. Smith, expenses.....	17 45
Ida M. Harris, expenses.....	16 75
W. C. Geagley, expenses.....	116 90
C. V. Jones, expenses.....	1,019 14
John T. Rowe, expenses.....	872 23
James E. Helber, expenses.....	606 28
Wm. J. Mickel, expenses.....	989 82
R. E. Woodruff, expenses.....	937 06
Chas. R. Webb, expenses.....	841 23
H. D. Wendt, expenses.....	784 16
Myra C. Wheelan, expenses.....	49 36
Eugene P. Berry, expenses.....	141 35
Thos. J. Kelly, expenses.....	833 18
O. M. Edson, expenses.....	1,017 27
F. G. Barnard, expenses.....	28 17
Theodore N. Eiler, expenses.....	303 91
A. A. Greer, expenses.....	80 30
Edmund Sauve, expenses.....	78 15
A. R. Todd, expenses.....	304 86
Waldo L. Scovill, expenses.....	44 78
T. E. Niles, expenses.....	69 18
Wm. H. Welsh, expenses.....	1 90
Fred L. Woodworth, expenses.....	128 35
Burton F. Browne, expenses.....	407 86
C. E. Swift, expenses.....	30 90
D. A. Patterson, expenses.....	245 73
Katharine Atkinson, expenses.....	44 75
Lynn E. Wagley, expenses.....	136 78
Chas. J. Cook expenses.....	143 41
Wm. DeLand, expenses.....	25 27
C. H. Howson, expenses.....	19 99
James E. Jacklin, expenses.....	68 38

*This includes expenses for fiscal year, some of which were paid after July 1st but incurred previous to that date.

DAIRY AND FOOD COMMISSION.

161

Chas. H. Petrosky, expenses.....	\$19 40
Grace G. Browne, expenses.....	9 97
Grace McArron, expenses.....	5 20
L. A. Knapp, expenses.....	15 68
Leslie Scott, Sr., expenses.....	19 18
Wm. J. Remus, expenses.....	10 18
Watson Beach, Jr., expenses.....	3 19
Miscellaneous	5,065 31
Message (telegraph and telephone).....	312 14
Express	246 54
Weights and Measures.....	249 84
	<hr/>
	\$16,923 16

DRUG INSPECTION.

From July 1, 1916 to June 30, 1917.

Funds available July 1, 1916.....	\$6,000 00
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DISBURSEMENTS.

Frank W. Casey, Drug Analyst, salary.....	\$744 57
M. A. Jones, Inspector, salary.....	1,000 00
Chas. A. Bugbee, Inspector, salary.....	599 99
Ruth Hoare, Clerk, salary.....	389 10
Rose V. Schwinn, Clerk, salary.....	330 00
Mabel Mosher, Clerk, salary.....	397 30
Sarah Houck, Clerk, salary.....	213 20
Frank W. Casey, expenses.....	52 15
M. A. Jones, expenses.....	872 42
Chas. A. Bugbee, expenses.....	516 54
Mabel Mosher, expenses.....	3 35
General expense.....	43 00
By balance.....	838 38
	<hr/>
	\$6,000 00

LAWS AND DECISIONS

LAWS OF MICHIGAN.

RELATIVE TO

INSPECTION, ILLEGAL SALE AND ADULTERATION OF FOODS, LIQUORS, DRUGS, AND DAIRY PRODUCTS, ETC.

POWERS AND DUTIES OF THE COMMISSIONER.

AN ACT to provide for the appointment of a Dairy and Food Commissioner, and to define his powers and duties and fix his compensation.

(Act No. 211, Public Acts, 1893.)

The People of the State of Michigan enact:

1. (C. L. 6360) SECTION 1. That within thirty days after this act shall take effect, the Governor by and with the consent of the Senate, shall appoint a suitable person to be Dairy and Food Commissioner, which office is hereby created, and which commissioner so appointed shall hold his office until the first day of January, one thousand eight hundred and ninety-five and until his successor is appointed and qualified. At the next regular session of the legislature and every two years thereafter, the Governor, by and with the advice and consent of the Senate, shall appoint a Dairy and Food Commissioner, who shall hold his office for the term of two years from the first day of January in the year of his appointment and until his successor is appointed and qualified. (See House Enrolled Act No. 104 S. L. 1917, page 19.)

2. (C. L., 6361) SEC. 2. The Governor shall have power to remove such commissioner at any time in his discretion; but the reasons for such removal shall be laid before the Senate at the next regular or special session of the legislature thereafter, and in case of a vacancy in the office of commissioner from any cause, the Governor may appoint another person to fill the same. (See House Enrolled Act. No. 104 S. L. 1917, page 19.)

3. (C. L., 6362) SEC. 3. Before entering upon the duties of his office, the person so appointed shall make, subscribe, and file in the office of the Secretary of State, an oath of office in the form prescribed by section one of article eighteen of the constitution of this State, and shall enter into bonds with the people of the State of Michigan in the sum of ten thousand dollars, with sureties to be approved by the Governor, conditioned for the faithful performance of his duties. (See House Enrolled Act No. 104 S. L. 1917, page 19.)

4. (C. L., 6363) SEC. 4. Said commissioner shall receive an annual salary of two thousand dollars. The said commissioner is hereby authorized and empowered, by and with the advice and consent of the Governor, to appoint a deputy commissioner. The salary of the deputy commissioner shall be fifteen hundred dollars per annum. The said commissioner may also appoint eight regular inspectors, who shall receive an annual salary not to exceed one thousand dollars per year, and such other special inspectors as the proper performance of the duties of the office may require, which special inspectors shall be paid not to exceed three dollars per day for the time actually employed: Provided, That the whole sum paid to such special inspectors shall not exceed the income to said department derived from registration fees provided by law. The persons so appointed shall have power to administer oaths in all matters relative to the dairy and food laws and shall take and subscribe the constitutional oath of office and file the same in the office of the secretary of state; and they shall hold office during the pleasure of the commissioner. The inspectors shall have the same right of access to the places to be inspected as the said commissioner or his deputy. The commissioner shall appoint such clerks as he may deem necessary for the transaction of the business of his office. The salaries and expenses authorized by this section shall be for the unexpired part of the fiscal year ending June thirty, nineteen hundred five, and each fiscal year thereafter. Said salaries are to be paid monthly on the warrant of the auditor general. The actual and necessary expenses of the commissioner, deputy and inspectors, in the performance of their official duties, shall be audited by the state board of auditors and paid upon the warrant of the auditor general. Such compensation and expenses shall be certified, audited and paid in the same manner as salaries and expenses paid similar officers. The deputy commissioner and regular inspectors shall enter into bonds with the people of the State of Michigan in the sum of one thousand dollars each, with sureties to be approved by the commissioner, conditioned for the faithful performance of their respective duties. The board of state auditors shall provide office room, and the necessary furniture and fixtures and the necessary stationery, supplies and printing for the conducting of the business of said commissioner, on his application to said board therefor. Said office shall be and remain in the city of Lansing.

[Am. by Act No. 245, P. A. 1895. Am. by Act No. 154, P. A. 1897. Am. by Act No. 186, P. A. 1901. Am. by Act No. 230, P. A. 1903. Am. by Act No. 12, P. A. 1905. Am. by Act No. 18, P. A. 1913. See House Enrolled Act No. 104, S. L. 1917, page 19.]

5. (C. L., 6364) SEC. 5. The commissioner, by and with the consent of the Governor, shall appoint a suitable and competent person as State Analyst, who shall be a practical analytical chemist. The commissioner, in like manner, may appoint an assistant chemist. Before entering upon the duties of their offices, the analyst and assistant chemist shall take, subscribe and file in the office of the Secretary of State the constitutional oath of office. Their term of office shall continue during the pleasure of the commissioner. The Board of State Auditors shall provide a room in connection with the Dairy and Food Commissioner for the laboratory of the State Analyst and his assistant, and the necessary furniture and

fixtures therefor. In case of the absence or inability of the State analyst or his assistant to perform his duty, the commissioner may appoint some competent person to perform the same temporarily, which person shall take, subscribe and file the constitutional oath of office. The salaries and expenses authorized by this section shall be for the unexpired part of the fiscal year ending June thirty, nineteen hundred five, and each fiscal year thereafter, said salaries to be payable monthly on the warrant of the Auditor General. The salary of the chemist shall be not to exceed two thousand dollars; the salary of the assistant chemist shall be not to exceed twelve hundred dollars. The actual and necessary expenses of the chemist and the assistant chemist, in the performance of their official duties, shall be audited by the Board of State Auditors, and paid upon the warrant of the Auditor General. Such an amount as is found to be necessary in the proper performance of the work of the analyst may be expended for chemical supplies. Such compensations, expenses and supplies shall be certified, audited and paid in the same manner as the salaries, expenses and supplies of similar officers.

[Am. by Act No. 245, P. A. 1895. Am. by Act No. 154, P. A. 1897. Am. by Act No. 186, P. A. 1901. Am. by Act No. 230, P. A. 1903. Am. by Act No. 12, P. A. 1905. See House Enrolled Act No. 104, S. L. 1917, page 19.]

6. (C. L., 6365) SEC. 6. It shall be the duty of the Dairy and Food Commissioner to carefully inquire into the dairy and food and drink products and the several articles which are foods or drinks, or the necessary constituents of foods or drink, which are manufactured or sold or exposed or offered for sale in this State, and he may, in a lawful manner, procure samples of the same and direct the State Analyst to make due and careful examination of the same, and report to the commissioner the result of the analysis of all and any of such food and drink products or dairy products as are adulterated, impure or unwholesome in contravention of the laws of this State; and it shall be the duty of the commissioner to make a complaint against the manufacturer or vendor thereof in the proper county and furnish all evidence thereof, to obtain a conviction of the offense charged. The Dairy and Food Commissioner, or his deputy, or any person appointed by him for that purpose may make complaint and cause proceedings to be commenced against any person for the enforcement of any of the laws relative to adulterated, impure or unwholesome food or drink, and in such case he shall not be obliged to furnish security for cost and shall have power, in the performance of his duties, to enter into any creamery, factory, store, salesroom, drug store, or laboratory, or place where he has reason to believe food or drink is made, stored, sold or offered for sale and open any cask, tub, jar, bottle or package containing, or supposed to contain, any article of food or drink and examine or cause to be examined the contents thereof, and take therefrom samples for analysis. The person making such inspection shall take such sample of such article or product in the presence of at least one witness, and he shall in the presence of said witness, mark or seal such sample and shall tender at the time of taking to the manufacturer or vendor of such product, or to the person having the custody of the same, the value thereof, and a statement in writing for the taking of such sample. Whenever it is de-

terminated by the Dairy and Food Commissioner, his deputy or inspectors, that filthy, or unsanitary conditions exist or are permitted to exist in the operation of any bakery, confectionery, or ice cream plant, or in any place where any food or drink products are manufactured, stored, deposited or sold for any purpose whatever, the proprietor or proprietors, owner or owners, of such bakery, confectionery or ice cream plant, or any person or persons, owning or operating any plant where any food or drink products are manufactured, stored, deposited or sold, shall be first notified and warned by the commissioner, his deputy or inspectors to place such bakery, confectionery or ice cream plant, or any place where any food or drink products are manufactured, stored, deposited or sold in a sanitary condition within a reasonable length of time; and any person or persons owning and operating any bakery, confectionery or ice cream plant or any place where any food or drink products are manufactured, stored, deposited or sold, failing to obey such notice and warning, shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than twenty-five dollars nor more than three hundred dollars and costs of prosecution, or imprisonment in the county jail not to exceed ninety days, or until such fine and costs are paid, or both fine and imprisonment at the discretion of the court.

[Am. by Act No. 245, P. A. 1895. Am. by Act No. 154, P. A. 1897. Am. by Act No. 268, P. A. 1899. Am. by Act No. 12, P. A. 1905.]

7. (C. L., 6366) SEC. 7. The commissioner, his deputy or any person by said commissioner duly appointed for that purpose, is authorized at all times to seize and take possession of any and all food and dairy products, substitutes therefor, or imitation thereof kept for sale, exposed for sale or held in possession or under the control of any person which in the opinion of the said commissioner or his deputy or such person by him duly appointed, shall be contrary to the provisions of this act or other laws which now exist or which may be hereafter enacted.

First, The person so making such seizure as aforesaid, shall take from such goods as seized a sample for the purpose of analysis and shall cause the remainder thereof to be boxed and sealed and shall leave the same in the possession of the person from whom they are seized, subject to such disposition as shall hereafter be made thereof according to the provisions of this act.

Second, The person so making such seizure, shall forward the sample so taken to the State Analyst for analysis, who shall make an analysis of the same and shall certify the results of such analysis, which certificate shall be prima facie evidence of the fact or facts therein certified to in any court where the same may be offered in evidence.

Third, If upon such analysis it shall appear that said food or dairy products are adulterated, substitutes or imitations within the meaning of this act, said commissioner, or his deputy or any person by him duly authorized may make complaint before any justice of the peace or police justice having jurisdiction in the city, village or township where such goods were seized, and thereupon said justice of the peace shall issue his summons to the person from whom said goods were seized, directing him to appear not less than six nor more than twelve days from the date of the issuing of said summons and show cause why said goods should not be

condemned and disposed of. If the said person from whom said goods were seized cannot be found said summons shall be served upon the person then in possession of the goods. The said summons shall be served at least six days before the time of appearance mentioned therein. If the person from whom said goods were seized cannot be found, and no one can be found in possession of said goods, and the defendant shall not appear on the return day, then said justice of the peace shall proceed in said cause in the same manner provided by law where a writ of attachment is returned not personally served upon any of the defendants and none of the defendants shall appear upon the return day.

Fourth, Unless cause to the contrary thereof is shown, or if said goods shall be found upon trial to be in violation of any of the provisions of this act or other laws which now exist or which may be hereafter enacted, it shall be the duty of said justice of the peace or police justice to render judgment that said seized property be forfeited to the State of Michigan, and that the said goods be destroyed or sold by the said commissioner for any purpose other than to be used for food. The mode of procedure before said justice shall be the same, as near as may be as in civil proceedings before justices of the peace. Either parties may appeal to the circuit court as appeals are taken from justices' courts, but it shall not be necessary for the people to give an appeal bond.

Fifth, The proceeds arising from any such sale shall be paid into the State treasury and credited to the general fund: Provided, That if the owner or party claiming the property or goods so declared forfeited can produce and prove a written guarantee of purity, signed by the wholesaler, jobber, manufacturer or other party from whom said articles were purchased, then the proceeds of the sale of such articles, over and above the cost of seizure, forfeiture, and sale, shall be paid over to such owner or claimant to reimburse him, to the extent of such surplus, for his actual loss resulting from such seizure and forfeiture, as shown by the invoice.

Sixth, It shall be the duty of each prosecuting attorney when called upon by said commissioners or by any person by him authorized as aforesaid, to render any legal assistance in his power in proceedings under the provisions of this act, or any subsequent act relative to the adulteration of food, for the sale of impure or unwholesome food or food products.

[Am. by Act No. 245, P. A. 1895. Am. by Act No. 268, P. A. 1899. Am. by Act No. 230, P. A. 1903.]

8. (C. L., 6367) SEC. 8. It shall be unlawful for the State Analyst, while he holds his office to furnish to any individual, firm or corporation, any certificate as to the purity or excellence of any article manufactured or sold by them to be used as food or in the preparation of food.

9. (C. L., 6368) SEC. 9. The commissioner shall make an annual report to the Governor on or before the first day of July in each year, and which shall be printed and published on or before the first day of September next thereafter, which report shall cover the doings of his office for the preceding fiscal year, which shall show, among other things, the number of manufactories and other places inspected and by whom, the number of specimens of food articles analyzed, and the State Analyst's report upon each one; the number of complaints entered against

persons for violation of the laws relative to the adulteration of food, the number of convictions had, and the amount of fines imposed therefor, together with such recommendations relative to the statutes in force as his experience may justify. The commissioner shall also prepare, print and distribute to all the papers of the State, and to such persons as may be interested or may apply therefor, a monthly bulletin, in suitable paper covers, containing results of inspections, the results of analyses made by the State Analyst, with proper explanation of the same, and such other information as may come to him in his official capacity relating to the adulteration of food and drink products and of dairy products, so far as he may deem the same of benefit and advantage to the public; also a brief summary of all the work done during the month by the commissioner and his assistants in the enforcement of the laws of the State, but not more than ten thousand copies of each such monthly bulletin shall be printed.

[Am. by Act No. 245, P. A. 1895. Am. by Act No. 154, P. A. 1897. Am. by Act No. 268, P. A. 1899.]

10. (C. L., 6369) SEC. 10. Any person who shall wilfully hinder or obstruct the Dairy and Food Commissioner, or his deputy or other person or inspector by him duly authorized, in the exercise of the powers conferred upon him by this act, shall be deemed guilty of a misdemeanor, and on conviction shall be punished by a fine of not less than ten dollars nor more than one hundred dollars, or by imprisonment in the county jail for not less than ten days nor more than ninety days, or both such fine and imprisonment in the discretion of the court.

[Added by Act No. 245, P. A. 1895.]

11. (C. L., 6370) SEC. 11. The sum of thirty-five thousand dollars is hereby appropriated for the fiscal year ending June thirty, nineteen hundred six, and for each fiscal year thereafter, there is hereby appropriated the sum of thirty-five thousand dollars. Out of the amounts appropriated by this act shall be paid all salaries and expenses and chemical supplies provided for therein: Provided, That all expenses for stationery and printing shall be audited and paid in the same manner as other State printing and stationery.

[Added by Act No. 245, P. A. 1895. Am. by Act No. 154, P. A. 1897. Am. by Act No. 268, P. A. 1899. Am. by Act No. 186, P. A. 1901. Am. by Act No. 12, P. A. 1905. See House Enrolled Act No. 104, S. L. 1917, page 19.]

12. (C. L., 6371) SEC. 12. The Auditor General is hereby directed to annually add to and incorporate into the State tax, to be levied each year, the sum of thirty-five thousand dollars, which, when collected, shall be credited to the general fund to reimburse the same for the money appropriated by this act.

[Added by Act No. 245, P. A. 1895. Am. by Act No. 154, P. A. 1897. Am. by Act No. 268, P. A. 1899. Am. by Act No. 186, P. A. 1901. Am. by Act No. 230, P. A. 1903. Am. by Act No. 12, P. A. 1905. See House Enrolled Act No. 104, S. L. 1917, page 19.]

13. (C. L., 6372) SEC. 13. It shall also be the duty of the Dairy and Food Commissioner to foster and encourage the dairy industry of the

State, and, for that purpose, he shall investigate the general conditions of the creameries, cheese factories, condensed milk factories, skimming stations, milk stations and farm dairies in this State, with full power to enter upon any premises for such investigation, with the object in view of improving the quality and creating and maintaining uniformity of the dairy products of the State; and should it become necessary, in the judgment of the Dairy and Food Commissioner, he may cause instruction to be given in any creamery, cheese factory, condensed milk factory, skimming station, milk station or farm dairy, or in any locality in this State, and in order to secure the proper feeding and care of cows, or the practical operation of any plant producing dairy products, and in order to secure such a uniform and standard quality of dairy products in this State, he shall furnish a sufficient number of competent inspectors, the appointment of whom is provided for in section four of this act, and they shall be duly qualified to act as such inspectors.

[Added by Act No. 12, P. A. 1905.]

14. (C. L., 6373) SEC. 14. Whenever it is determined by the Dairy and Food Commissioner, his deputy or inspectors, that any person is using, selling or furnishing to any skimming station, creamery, cheese factory, condensed milk factory, milk depot, farm dairy, milk dealer, the retail trade or to any consumer of milk, any impure or unwholesome milk or cream, which impurity or unwholesomeness is caused by the unsanitary or filthy condition of the premises where cows are kept, or by the unsanitary or filthy care or handling of the cows, or from the use of unclean utensils, or from unwholesome food, or from any other cause, the person so using, selling or furnishing to any skimming station, creamery, cheese factory, condensed milk factory, milk depot, farm dairy, milk dealer, the retail trade, or to any consumer of milk, any such milk or cream, shall first be notified and warned by the commissioner, his deputy or inspectors not to use, sell, or furnish such milk or cream to such skimming station, creamery, cheese factory, condensed milk factory, milk depot, farm dairy, milk dealer, the retail trade, or to any consumer of milk, and any person failing to obey such notice and warning and continuing to use, sell or furnish to any skimming station, creamery, cheese factory, condensed milk factory, farm dairy, milk dealer or to the retail trade such impure or unwholesome milk or cream, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not less than ten dollars, nor more than fifty dollars, and costs of prosecution, or imprisonment in the county jail, not to exceed ninety days, or until such fine and costs are paid, or both fine and imprisonment at the discretion of the court.

[Added by Act No. 12, P. A. 1905.]

15. (C. L., 6374) SEC. 15. Whenever it is determined by the Dairy and Food Commissioner, his deputy or inspectors, that unsanitary conditions exist or are permitted to exist in the operation of any skimming station, creamery, cheese factory, condensed milk factory, milk depot or farm dairy, the proprietor or proprietors, or manager of said skimming station, creamery, cheese factory, condensed milk factory or farm dairy, shall be first notified and warned by the commissioner, his deputy or

inspectors, to place such skimming station, creamery, cheese factory, condensed milk factory, milk depot or farm dairy in a sanitary condition, within a reasonable length of time; and any person or persons owning or operating such skimming station, creamery, cheese factory, condensed milk factory, milk depot, or farm dairy, failing to obey such notice and warning, shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than twenty-five dollars, nor more than three hundred dollars, and costs of prosecution, or imprisonment in the county jail, not to exceed ninety days or until such fine and costs are paid, or both fine and imprisonment at the discretion of the court.

[Added by Act No. 12, P. A. 1905.]

16. (C. L., 6375) SEC. 16. It shall be the duty of the proprietor or proprietors, (manager or managers), of every skimming station, creamery, cheese factory, condensed milk factory or milk or cream depot in the State where milk or cream is received by purchase or otherwise from three or more persons within thirty days after the commencement of the operation of said cheese factory, condensed milk factory or milk or cream depot and annually on the first day of April thereafter to register with the Dairy and Food Commissioner upon blanks furnished by said official, the location of such skimming station, creamery, cheese factory, condensed milk factory or milk or cream depot, and the name of its owner or owners and manager. And it shall be the duty of the proprietor or proprietors or manager of every skimming station, creamery, cheese factory, condensed milk factory or milk or cream depot in this State, where milk or cream is received by purchase or otherwise from three or more persons, to file a report with the Dairy and Food Commissioner, said report to be made on or before April first of each year, upon blanks furnished by said official, and to show the amount of milk or cream received by said skimming station, creamery, cheese factory, condensed milk factory or milk or cream depot during the year ending December 31 preceding; and said report shall show the amount of butter, cheese or condensed milk manufactured during the year, together with a list of the names and postoffice addresses of the patrons of said skimming station, creamery, cheese factory, condensed milk factory or milk or cream depot. Every skimming station, creamery, cheese factory, condensed milk factory or milk or cream depot, so registering and so reporting, shall pay to the office of the State Dairy and Food Commissioner an annual registration fee of five dollars, to be paid at the time of such registration. Whoever violates any of the provisions of this section, shall be deemed guilty of a misdemeanor, and for each and every offense shall be punished by a fine of not less than fifty dollars nor more than one hundred dollars and the costs of prosecution, or by imprisonment in the county jail for not more than thirty days or both. The money so collected by the Dairy and Food Commissioner shall be paid into the State Treasury and be used to help defray the expenses of the office of the Dairy and Food Commissioner, in addition to the annual appropriation therefor.

[Added by Act No. 12, P. A. 1905. Am. by Act No. 242, P. A. 1913.]

17. (C. L., 6376) SEC. 17. Any person, persons or corporation who shall sell milk or cream from a wagon or other conveyance, depot or store, or who shall sell or deliver milk or cream to a hotel, restaurant, boarding house or any public place, shall be considered a milk dealer; and every milk dealer who shall sell milk or cream from a wagon or other conveyance, depot or store, or who shall sell, or deliver milk or cream to a hotel, restaurant, boarding house or any public place in any city, town or village of this State, must first obtain a license from the Dairy and Food Commissioner to sell such milk or cream. A license shall be required for each wagon or other conveyance, depot or store. Each dealer shall pay to the Dairy and Food Commissioner a license fee of one dollar for each license so granted, which license must be obtained on or before the first day of July of each year. The moneys received by the Dairy and Food Commissioner, in payment of such licenses, shall be paid into the State Treasury and be used to help defray the expense of the office of the Dairy and Food Commissioner in addition to the annual appropriation. All licenses shall be used only in the name of the owner of the wagon, depot or store, and shall, for the purpose of this act, be prima facie evidence of ownership. No license shall be sold, assigned or transferred. Each license shall record the name, residence, place of business, number of wagons, depots or stores used (where more than one is employed) and the number of the license. Whoever violates any of the provisions of this section, insofar as relates to registration and the securing of licenses, shall be deemed guilty of a misdemeanor, and for each and every offense shall be punished by a fine of not less than five dollars, nor more than twenty-five dollars and the costs of prosecution, or by imprisonment in the county jail for not more than thirty days, or both.

[Added by Act No. 12, P. A. 1905.]

18. (C. L., 6377) SEC. 18. Repealed by Act No. 135, P. A. 1915.

19. (C. L., 6378) SEC. 19. The published annual report of the Dairy and Food Commissioner which shall be made to the Governor, shall include a complete accounting of all moneys received by the department from every source, and the amount expended by the department.

[Added by Act No. 12, P. A. 1905.]

20. (C. L., 6379) SEC. 20. All acts and parts of acts inconsistent with this act so far as they are inconsistent are hereby repealed.

This act is ordered to take immediate effect.

[Added by Act No. 12, P. A. 1905.]

(Act No. 167, Public Acts, 1899.)

AN ACT in relation to the powers and duties of the Dairy and Food Commissioner of the State of Michigan.

The People of the State of Michigan enact:

21. (C. L., 6389) SECTION 1. That any person who shall obstruct the Dairy and Food Commissioner, or his deputy, or any of his duly appointed inspectors, by refusing to allow him entrance to any place where he is authorized to enter in the discharge of his official duty, or refuses to deliver to him a sufficient sample for the analysis of any article of food or drink sold, offered or exposed for sale, or in his possession for the purpose of sale, wherever the same may be found, when the same is requested and when the value thereof is tendered, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars and the costs of prosecution, or by imprisonment in the county jail not less than ten days or more than ninety days, or by both such fine and imprisonment in the discretion of the court, for each and every offense.

This act is ordered to take immediate effect.

STANDARDS.

(Act No. 64, Public Acts, 1913.)

AN ACT to define and fix standards of purity for foods, beverages, condiments, confectionery and drugs in this state in prosecutions arising under the food, beverage and drug laws of the state of Michigan.

The People of the State of Michigan enact:

22. (C. L., 6535) SECTION 1. In all prosecutions arising under the food and drug laws of this State for the manufacture or sale of an adulterated, misbranded or otherwise unlawful article of food, drink, condiment or drug, the latest standards of purity for food products, established by the United States secretary of agriculture, shall be accepted as the legal standards, except in cases where other standards are specifically prescribed by the laws of this State.

AN ACT CREATING THE OFFICE OF FOOD AND DRUG COMMISSIONER.

(House Enrolled Act No. 104, P. A. 1917.)

AN ACT to create the office of Food and Drug Commissioner; to prescribe his powers, duties and compensation; to provide for the enforcement of the drug and liquor, dairy and food, and weights and measures laws; to abolish the office of Dairy and Food Commissioner; and to provide for expenditures in connection therewith.

The People of the State of Michigan enact:

23. SECTION 1. There is hereby created the office of Food and Drug Commissioner for the State of Michigan, with the powers and duties hereinafter prescribed. The person appointed to such office shall be a citizen of the State of Michigan.

24. SEC. 2. The Food and Drug Commissioner, on his appointment and qualification as such, shall have charge and supervision of the enforcement of all the laws of this State relating to the dairy and food, drug and liquor business, weights and measures, and such further powers and duties as may be imposed by law, and as prescribed herein. All the powers and duties imposed by law upon the Dairy and Food Commissioner, at the time this act takes effect, are hereby transferred to and vested in the Food and Drug Commissioner. The Food and Drug Commissioner shall have the powers of a sheriff in making arrests and in enforcing the laws relating to the prohibition of the manufacture, sale, bartering, furnishing, giving away, receiving, possession and use of intoxicating liquors; and in enforcing the laws relating to dairy, foods, drugs and weights and measures. He shall appoint a deputy, who shall have all the powers and duties of the Food and Drug Commissioner as may be deputized to him by the Food and Drug Commissioner.

25. SEC. 3. Said commissioner shall receive an annual salary of thirty-five hundred dollars, payable on the warrant of the Auditor General, as other State officers are paid. Said deputy shall receive an annual salary of twenty-five hundred dollars, payable on the warrant of the Auditor General, in the same manner as other State officers are paid.

26. SEC. 4. The said Food and Drug Commissioner shall be appointed by the Governor, by and with the advice and consent of the Senate, and may be removed by the Governor, in his discretion. The first appointment to such office shall be made by the Governor on or before the first day of April, nineteen hundred eighteen, for the term commencing at such date, and ending July first, nineteen hundred twenty-two; and thereafter the Governor shall appoint a successor to such office every four years, whose term of office shall commence July first of the year appointed, and shall end June thirtieth of the fourth year thereafter.

27. SEC. 5. On April first, nineteen hundred eighteen, the office of Dairy and Food Commissioner, created by act number two hundred eleven

of the Public Acts of eighteen hundred ninety-three, shall cease and be discontinued, and all offices incident to the department of the Dairy and Food Commissioner shall likewise cease and be discontinued; and all of the powers and duties devolving upon and vested in said Dairy and Food Commissioner, by any law of this State, at or after the time this act takes effect, shall be and the same are transferred to and vested in the Food and Drug Commissioner, as of April first, nineteen hundred eighteen. The Dairy and Food Commissioner shall on said date cause all of his office equipment, and other State property, records and books to be transferred to the Food and Drug Commissioner; and all money accounts of the said Dairy and Food Commissioner shall be closed with the State Treasurer, and reopened with the Food and Drug Commissioner created by this act. All actions pending under the dairy and food laws or other laws administered by the Dairy and Food Commissioner; all matters pending investigation; all unfinished business of said Dairy and Food Department, shall be continued under the Food and Drug Commissioner, with like effect as if the office of Dairy and Food Commissioner had continued to exist.

28. Sec. 6. The Food and Drug Commissioner shall have authority to appoint a State analyst, at a salary not to exceed two thousand five hundred dollars per annum, a chief clerk at a salary of not to exceed eighteen hundred dollars a year, and necessary assistant analysts, who shall be competent chemists, at a salary not to exceed eighteen hundred dollars each per annum; and to discharge such analysts at pleasure. He shall appoint and employ such inspectors, investigators, assistants, clerks and other help as may be deemed necessary, subject to the approval of the Governor, at a salary not to exceed fifteen hundred dollars each per annum.

29. Sec. 7. The said Food and Drug Commissioner shall be entitled to the advice and assistance of the Attorney General, and all prosecuting attorneys, sheriffs, police officers, and other peace officers within the State shall, when called upon for aid and assistance by such commissioner, render such service as may be requested by him, within the scope of his authority. And it shall be the duty of the Attorney General to assign to the office of the Food and Drug Commissioner an assistant Attorney General who shall have the authority of a deputy Attorney General with relation to the enforcement of the laws administered by the Food and Drug Commissioner.

30. Sec. 8. It shall be the duty of the said commissioner to supervise and secure the enforcement of all the laws of the State relating to the manufacture, sale, bartering, furnishing, giving away, receiving, possessing or the use of intoxicating liquors and all laws in any way relating to the liquor traffic, and for this purpose said commissioner, his deputy, inspectors and agents may make, or cause to be made, complaint of the violation of such laws before any proper court or magistrate.

31. Sec. 9. Any officer required by this act to give assistance to the Food and Drug Commissioner who shall fail or refuse so to do shall be deemed a ground for removal from office. Nothing in this act contained shall in any way be construed as relieving any of the said officers from the performance of duties devolving upon them by virtue of the laws of this State.

32. SEC. 10. Said Food and Drug Commissioner shall, before assuming the duties of his office, take the constitutional oath of office and provide a bond with good and sufficient sureties, conditioned upon the faithful performance of his duties, in the penal sum of ten thousand dollars, and the deputy Food and Drug Commissioner shall likewise provide a bond in the sum of one thousand dollars.

33. SEC. 11. All salaries and expenditures, authorized by this act and necessary for carrying out the provisions thereof, shall be paid out of the general fund of the State upon the warrant of the Auditor General.

34. SEC. 12. This act shall be construed as supplementary to any act passed by the Legislature relating to the liquor traffic, and any act or acts relating to the drug, dairy and food business, and weights and measures, and any laws heretofore administered by the Dairy and Food Department.

35. SEC. 13. If any section, sub-section, sentence, clause or phrase of this act is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act.

36. SEC. 14. All acts or parts of acts in conflict with the provisions of this act are hereby repealed. The provisions of this act shall take effect and be in force on and after April first, nineteen hundred eighteen.

37. SEC. 15. The Auditor General shall incorporate in the State tax for each year a sufficient amount to reimburse the general fund for the amount expended under the provisions of this act.

GENERAL FOOD LAWS.

(Act No. 193, Public Acts, 1895.)

AN ACT to prohibit and prevent adulteration, fraud and deception in the manufacture, and sale of articles of food and drink.

The People of the State of Michigan enact:

38. (C. L., 6473) SECTION 1. No person, firm or corporation by themselves or their agents or servants shall within this State, have in their possession with intent to sell, or offer or expose for sale, or sell any article of food which is adulterated or misbranded within the meaning of this act.

[Am. by Act No. 118, P. A. 1897. Am. by Act No. 162, P. A. 1913.]

39. (C. L., 6474) SEC. 2. The term food as used herein, shall include all articles used for food, drink, confectionery or condiment intended to be eaten or drank by man or other animals, whether simple, mixed or compound.

[Am. by Act No. 162, P. A. 1913.]

40. (C. L., 6475) SEC. 3. An article shall be deemed to be adulterated within the meaning of this act:

First, If any substance or substances have been mixed with it so as to lower or depreciate or injuriously affect its quality, strength or purity.

Second, If any inferior or cheaper substance or substances have been substituted wholly or in part for it;

Third, If any valuable or necessary constituent or ingredient has been wholly or in part abstracted from it;

Fourth, If it consists wholly or in part of a diseased, decomposed, putrid, infected, tainted or rotten animal or vegetable substance or article, whether manufactured or not, or in the case of milk, if it is the product of a diseased animal;

Fifth, If it is colored, coated, polished, bleached or powdered whereby damage or inferiority is concealed, or if by any means it is made to appear better or of greater value than it really is;

Sixth, If it contains any added substance or ingredient which is poisonous or injurious to health: Provided, That nothing in this act shall prevent the coloring of pure butter.

41. (C. L., 6476) SEC. 3 (a). An article shall be deemed to be misbranded within the meaning of this act;

First, If it is an imitation of or is offered for sale under the name of another article;

Second, If it is labeled or branded so as to deceive or mislead the purchaser, or purport to be a foreign product when not so, or if the contents of the package as originally put up shall have been removed in whole or in part and other contents shall have been placed in such package;

Third, If in package form every package, box, bottle, basket or other container does not bear the true net weight, excluding the wrapper or container, which shall be stated in terms of pounds, ounces and grains avoirdupois weight or the true net measure, which measure, in case of liquids, shall be in terms of gallons of two hundred and thirty-one cubic inches or fractions thereof, as quarts, pints and ounces or the true numerical count, as the case may be, expressed on the face of the principal label in plain English words or numerals, so that it can be plainly read: Provided, however, That reasonable variations shall be permitted and tolerances therefor and also exemptions as to small packages shall be established and promulgated by the Dairy and Food Commissioner: Provided, however, That no penalty of fine, imprisonment or confiscation shall be enforced for any violation of subdivision third of this section prior to September first, nineteen hundred fourteen, as to goods in the hands of wholesalers or retailers when this act takes effect or received prior to January one, nineteen hundred fourteen. The provisions of this subdivision shall not apply to beverages in glass containers;

Fourth, If the package containing it or its label shall bear any statement, design or device regarding the ingredients or the substances contained therein, which statement, design or device shall be false or misleading in any particular: Provided, That the provisions of this act shall not apply to mixtures or compounds recognized as ordinary articles or ingredients of articles of food, if each and every package sold or offered for sale bear the name and address of the manufacturer or jobber or retail merchant with an established business, and be distinctly labeled

under its own distinctive name, and in a manner so as to plainly and correctly show that it is a mixture or compound and is not in violation of any of the foregoing provisions of this act. Every article of food as defined in the statutes of this State shall be sold by weight, measure or numerical count and as now generally recognized by trade custom, except as the parties otherwise agree, and shall be labeled in accordance with the provisions of the food and beverage laws of this State. Only those products shall be sold by numerical count which cannot well be sold by weight or measure. All foods not liquid, if sold by measure, shall be sold by standard dry measure, the quart of which contains sixty-seven twenty one-hundredths cubic inches, providing that the provisions of this section shall not apply to fresh fruit and vegetables.

[Am. by Act No. 118, P. A. 1897. Am. by Act No. 162, P. A. 1913. Am. by Act No. 311, P. A. 1915.]

42. (C. L., 6477) SEC. 4. No person, by himself or his agents or servants, shall manufacture for sale or offer or expose for sale, or sell, as butter, and the legitimate product of the dairy or creamery, any article not made exclusively of milk or cream, but into which the oil or fat of animals, or any other oils not produced from milk, enters as a component part, has been introduced to take the place of cream. Whoever violates the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty nor more than five hundred dollars, and the costs of prosecution, or by imprisonment in the county jail, or the State House of Correction and Reformatory at Ionia for not less than ninety days nor more than two years, or by both such fine and imprisonment in the discretion of the court for each and every offense.

43. (C. L., 6478) SEC. 5. No person shall manufacture, deal in, sell, offer or expose for sale or exchange, any article or substance in the semblance of, or in imitation of cheese made exclusively of unadulterated milk or cream, or both, into which any animal, intestinal or offal fats or oils or melted butter in any condition or state, or modification of the same, or oleaginous substances of any kind not produced from unadulterated milk or cream shall have been introduced. All cheese manufactured or sold within this State shall be divided into two grades, to be known as "full cream cheese" and "skimmed milk cheese". All full cream cheese shall contain in water free substance not less than thirty per centum of milk fat, as may appear upon proper test, and all cheese containing less than thirty per centum of milk fat shall be known and branded as "skimmed milk cheese": Provided, That the provisions of this act shall not be construed to apply to such cheese as is known as "fancy cheese" and is under five pounds in weight each, nor to what is known as "Swiss cheese", "brick cheese", "Dutch cheese" or "cottage cheese", and does not contain anything injurious to health.

[Am. by Act No. 73, P. A. 1913.]

44. (C. L., 6479) SEC. 66. Every manufacturer of full cream cheese may put a brand upon each cheese, indicating "full cream cheese", and no person shall use such a brand upon any cheese made from milk from which any of the cream has been taken. Every manufacturer of imita-

tion cheese, as defined by this act, shall put a brand upon each cheese so manufactured, indicating "skimmed milk cheese", which brand shall be in plain Roman letters, not less than one-half inch in length, and so made, placed or attached that it can easily be seen and read and cannot be easily defaced, and the same shall be placed upon the cloth surrounding such cheese, as well as upon the container thereof.

[Am. by Act No. 118, P. A. 1897. Am. by Act No. 73, P. A. 1913.]

45. (C. L., 6480) SEC. 7. The Dairy and Food Commissioner shall procure and issue to the cheese manufacturers of the State, on proper application, which application shall be made on or before the first day of April in each year, and under such regulation as to the custody and use thereof as he may prescribe, a uniform stencil brand, bearing a suitable device or motto and the words "Michigan full cream cheese", or "Michigan skimmed milk cheese." Every such brand shall be used on the outside of the cheese, and upon the package containing the same, and shall bear a separate number for each separate factory. The said commissioner shall keep a book in which shall be registered the name, location and number of each manufactory using the brand, and the name or names of persons at each factory authorized to use the same. The commissioner shall receive a fee of one dollar for each registration, said fee to be paid by the party applying for the same, which amounts shall be accounted for and used as a part of the fund appropriated for the enforcement of the laws of this State with which the Dairy and Food Commissioner is charged. No person shall knowingly offer, sell or expose for sale, in any package, cheese which is falsely branded or labeled. Whoever shall violate the provisions of sections five, six, seven or eight of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty nor more than five hundred dollars and the costs of prosecution, or by imprisonment in the county jail or the Michigan Reformatory at Ionia for not less than ninety days nor more than two years, or by both such fine and imprisonment in the discretion of the court for each and every offense.

[Am. by Act No. 73, P. A. 1913.]

46. (C. L., 6481) SEC. 8. The proprietor or keeper of any hotel, restaurant, eating saloon, boarding house or other place where imitation cheese is sold or furnished to persons paying for the same, shall have placed on the walls of every store or room where imitation cheese is sold or furnished, a white placard on which is printed in black ink, in plain Roman letters of not less than three inches in length, and not less than two inches in width, the words "Skimmed Milk Cheese Sold or Used Here", and shall at all times keep the same exposed in such conspicuous place as to be readily seen by any and all persons entering such store, or other room or rooms, and any person or persons violating this section shall be deemed guilty of a misdemeanor, and punished as provided in section seven of this act.

[Am. by Act No. 73, P. A. 1913.]

47. (C. L., 6482) SEC. 9. No person shall within this State manu-

facture for sale, have in his possession with intent to sell, offer or expose for sale, or sell as lard, any substance not the legitimate and exclusive product of the fat of the hog.

48. (C. L., 6483) SEC. 10. Every person who manufactures for sale, has in his possession with intent to sell, offers or exposes for sale, or sells any substance made in the semblance of lard, or as an imitation of lard, and which consists of any mixture or compound of animal or vegetable oils or fats other than hog fat in the form of lard, shall cause the tierce, barrel, tub, pail or package containing the same to be distinctly and legibly branded or labeled "Lard substitute or compound", and every person who manufactures for sale, has in his possession with intent to sell, offers or exposes for sale or sells, any substance made in the semblance of lard or as an imitation of lard, or as a substitute for lard, and which is designed to take the place of lard, and which consists of any mixture or compound of lard with animal or vegetable oils or fats, shall cause the tierce, barrel, tub, pail or package containing the same to be distinctly and legibly branded or labeled either "Adulterated lard", "Lard compound", or "Lard substitute". Such brands or labels shall be in letters not less than one inch in length and shall be followed with the name of the maker and factory, and the location of such factory.

49. (C. L., 6484) SEC. 11. Every dealer or trader who, by himself or agent, or as the servant or agent of another person, offers or exposes for sale, or sells any form of lard substitute or adulterated lard, as hereinbefore defined, shall securely affix or cause to be affixed to the package wherein the same is contained, offered for sale or sold, a label upon the outside and face of which is distinctly and legibly printed in letters not less than one-half inch in length, the words "Lard substitute" or "Adulterated lard" or "Lard compound" or other appropriate word which shall correctly express its nature and use.

50. (C. L., 6485) SEC. 12. The having in possession of any lard substitute or adulterated lard or lard compound, as hereinbefore defined, which is not branded or labeled as hereinbefore required and directed, upon the part of any dealer or trader, or any person engaged in the public sale of such articles, shall for the purpose of the act be deemed prima facie evidence of intent to sell the same.

51. (C. L., 6486) SEC. 13. No person, firm or corporation in this State shall manufacture for sale, or sell, or offer or expose for sale, as fruit jelly or fruit butter, any jelly or imitation fruit butter or other similar compound made or composed in whole or in part of glucose, dextrine, starch or other substances, and colored in imitation of fruit jelly or fruit butter; nor shall any such jelly, fruit butter or compound be manufactured or sold, or offered for sale, under any name or designation whatever, unless the same shall be composed entirely of ingredients not injurious to health, and shall not be colored in imitation of fruit jelly, and every can, pail or package of such jelly or butter sold in this State shall be distinctly and durably labeled "Imitation fruit jelly or butter", with the name of the manufacturer and the place where made. Whoever violates the provisions of this section shall be deemed guilty of a misdemeanor, and when convicted thereof shall be punished by a fine of not less than fifty nor more than five hundred dollars, or by imprisonment in the county jail or State House of Correction and Reformatory at Ionia for

not less than ninety days nor more than two years, or by both such fine and imprisonment in the discretion of the court.

52. (C. L., 6487) SEC. 14. No packer or dealer in preserved or canned fruits and vegetables, or other articles of food, shall sell or offer for sale such canned articles, unless such articles shall be entirely free from substances or ingredients deleterious to health, and unless such articles bear a mark, stamp, brand or label bearing the name and address of the firm, person or corporation that packs or distributes the same. All "soaked or bleached goods" or goods put up from products dried before canning, shall be plainly marked, branded, stamped or labeled as such, with the words "soaked or bleached goods", in letters not less than two-line pica in size, showing the name of the article and the name and address of the packer or distributor.

[Am. by Act No. 226, P. A. 1915.]

53. (C. L., 6488) SEC. 15. No person shall manufacture or sell, or offer for sale any manufactured or artificial coffee berry in imitation of the genuine berry. No person shall manufacture, sell or offer or expose for sale any ground or prepared coffee, which is adulterated with chicory or other substance not injurious to health, unless each package thereof shall be distinctly labeled or marked "Coffee compound", together with the name and address of the manufacturer or compounder thereof, and has no other label of whatever name or designation. No person shall offer or expose for sale, have in his possession with intent to sell, or sell any molasses, syrup or glucose, unless the barrel, cask, keg, can or pail containing the same shall be distinctly branded or labeled with the true and appropriate name; nor shall any person offer or expose for sale, have in his possession with intent to sell, or sell any molasses or syrup mixed with glucose, unless the barrel, cask, keg or pail containing the same shall be distinctly branded or labeled "Glucose mixture", and the per cent in which glucose enters into its composition. Such barrel, cask, keg or pail shall be branded or labeled in a conspicuous place; and such brands or labels shall be in letters of not less than one-half inch in length. Glucose and glucose mixtures shall have no other designation than herein required.

[Am. by Act No. 118, P. A. 1897.]

54. (C. L., 6489) SEC. 16. No person shall within this State manufacture, brew, distill, or have or offer for sale, or sell, any spirituous or fermented or malt liquors, containing any substance or ingredient not normal or healthful, to exist in spirituous, fermented or malt liquors, or which may be deleterious or detrimental to health when such liquors are used as a beverage.

55. (C. L., 6490) SEC. 17. The taking of orders or the making of agreements or contracts, by any person, firm or corporation, or by any agent or representative thereof, for the future delivery of any of the articles, products, goods, wares or merchandise embraced within the provisions of this act, shall be deemed a sale within the meaning of this act.

56. (C. L., 6491) SEC. 18. Whoever shall falsely brand, mark, stencil or label any article or product required by this act to be branded,

marked, stenciled or labeled, or shall remove, alter, deface, mutilate, obliterate, imitate or counterfeit any brand, mark, stencil, or label so required, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred nor more than one thousand dollars and the costs of prosecution, or by imprisonment in the county jail or State House of Correction and Reformatory at Ionia, for not less than six months nor more than three years, or by both such fine and imprisonment in the discretion of the court for each and every offense.

57. (C. L., 6492) SEC. 19. Whoever shall do any of the acts or things prohibited, or wilfully neglect or refuse to do any of the acts or things enjoined by this act, or in any way violate any of its provisions, shall be deemed guilty of a misdemeanor, and where no specific penalty is prescribed by this act shall be punished by a fine of not less than twenty-five nor more than five hundred dollars, or by imprisonment in the county jail for a period of not more than ninety days, or by both such fine and imprisonment, in the discretion of the court.

[Am. by Act No. 117, P. A. 1899.]

58. (C. L., 6493) SEC. 20. It shall be the duty of the Dairy and Food Commissioner of the State to investigate all complaints of violations of this act, and take all steps necessary to its enforcement. It shall be the duty of all prosecuting officers of this State to prosecute to completion all suits brought under the provisions of this act upon the complaint of the commissioner or of any citizen. It shall be the duty of all food inspectors in cities to examine all complaints made to them of violation of this act, and to render assistance in enforcing its provisions. It shall also be the duty of all health boards in cities and health officers in townships to take cognizance of and report or prosecute all violations of this act that may be brought to their notice, or they may have cognizance of, within their jurisdiction.

59. (C. L., 6494) SEC. 21. All acts and parts of acts inconsistent with this act are hereby repealed.

BUCKWHEAT FLOUR.

(Act No. 208, Public Acts, 1903.)

AN ACT in relation to the manufacture and sale of buckwheat flour.

The People of the State of Michigan enact:

60. (C. L., 6452) SECTION 1. Within this State no person shall manufacture, offer or expose for sale, keep in possession with intent to sell, or sell, any ground buckwheat containing any product of wheat, corn, rice or other foreign substance, unless each and every package thereof be distinctly and legibly branded or labeled "Buckwheat Flour Com-

pound" in letters not less than one-half inch in length and be followed with the name of the maker and factory and the location of such factory.

61. (C. L., 6453) SEC. 2. Any brand or label herein required shall be an inseperable part of the general or distinguishing label, and such label shall be that principal and conspicuous sign under which it is sold, and any other label or printed matter upon the package shall not be in contravention of the requirements of this act.

62. (C. L., 6454) SEC. 3. The having in possession of any buckwheat flour compound, which is not branded or labeled as hereinbefore required and directed upon the part of any person engaged in the public or private sale of such article, shall, for the purpose of this act, be deemed prima facie evidence of intent to sell the same.

63. (C. L., 6455) SEC. 4. The taking of orders or the making of agreements or contracts by any person, firm or corporation or by any agent or representative thereof, for the future delivery of buckwheat flour or compound shall be deemed a sale within the meaning of this act.

64. (C. L., 6456) SEC. 5. Whoever shall do any of the acts or things prohibited, or neglect or refuse to do any of the acts or things enjoined by this act, or in any way violate any of the provisions, shall be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars, or by imprisonment in the county jail for a period of not less than thirty nor more than ninety days, or by both such fine and imprisonment in the discretion of the court.

65. (C. L., 6457) SEC. 6. Act number eighty-four of the Public Acts of eighteen hundred ninety-seven, entitled "An act to prohibit and prevent adulteration, fraud and deception in the manufacture and sale of buckwheat flour," being section four thousand nine hundred ninety-four to five thousand two, both inclusive, of the Compiled Laws of one thousand eight hundred ninety-seven is hereby repealed.

VINEGAR.

(Act No. 384, Session Laws 1913.)

AN ACT in relation to the manufacture and sale of vinegar, and to repeal act number seventy-one of the Public Acts of eighteen hundred ninety-seven, being sections five thousand three to five thousand six inclusive of the Compiled Laws of eighteen hundred ninety-seven, and all other acts and parts of acts inconsistent with this act.

The People of the State of Michigan enact:

66. (C. L., 6458) SECTION 1. No person shall manufacture for sale, offer or expose for sale, sell or deliver, or have in his possession with intent to sell or deliver, any vinegar not in compliance with the provisions of this act.

67. (C. L., 6459) SEC. 2. The word "vinegar" as used herein is lim-

ited to a water solution of acetic acid derived by the alcoholic and subsequent acetous fermentations of fruits, grain, vegetables, sugar or syrups, and if not distilled must carry in solution the extractive matter derived solely from the substances indicated on the label as its source.

68. (C. L., 6460) SEC. 3. No vinegar shall be sold or exposed for sale as apple or cider vinegar which is not the legitimate product of pure apple juice. The term "cider vinegar" as used herein shall be construed to mean vinegar derived by the alcoholic and subsequent acetous fermentation of the expressed juice of apples, the acidity, solids and ash of which have been derived exclusively from apples, and which contains not less than four per cent of absolute acetic acid. Cider vinegar which during the course of manufacture has developed in excess of four per cent acetic acid, may be reduced to a strength of not less than four per cent, and cider vinegar so reduced shall not be regarded as adulterated. Every manufacturer or producer of cider vinegar shall plainly brand on the head of the cask, barrel or keg or other container of such vinegar, his name, place of business and the words "fermented cider vinegar", and no person shall mark or brand as cider vinegar any package containing that which is not cider vinegar. Any vinegar sold or offered for sale shall be marked or branded plainly upon the package or container from which it is sold and also on the original package or container in which it is sold or delivered, in a manner to show its true character and source.

69. (C. L., 6461) SEC. 4. All sugar vinegar sold or exposed for sale as such shall be strictly and distinctly fermented from sucrose, molasses or refiner's syrup.

70. (C. L., 6462) SEC. 5. No vinegar shall be sold or exposed for sale as malt vinegar which is not fermented strictly and distinctly from barley malt, or cereals whose starch has been converted into malt.

71. (C. L., 6463) SEC. 6. No vinegar shall be sold or exposed for sale in which foreign substances, drugs or acids shall have been introduced. No vinegar shall contain any artificial coloring matter, and all vinegar shall have an acidity of not less than four per cent by weight of absolute acetic acid. If vinegar contains any artificial matter, or less than the required amount of acidity, it shall be deemed to be adulterated.

72. (C. L., 6464) SEC. 7. All vinegar made by fermentation and oxidation without the intervention of distillation, shall be branded "fermented" vinegar, with the name of the fruit or substance from which such vinegar has been made.

73. (C. L., 6465) SEC. 8. All vinegar made by acetous fermentation of dilute distilled alcohol shall be branded "distilled" vinegar, together with the name of the substance or substances from which it is made, and all vinegar made wholly or in part from distilled vinegar shall be conspicuously labeled "distilled vinegar."

74. (C. L., 6466) SEC. 9. Whoever violates any of the provisions of this act, shall upon conviction, be punished by a fine of not more than two hundred dollars or imprisonment in the county jail not to exceed six months or both such fine and imprisonment in the discretion of the court.

75. (C. L., 6467) SEC. 10. Act number seventy-one of the Public Acts of eighteen hundred ninety-seven, being sections five thousand three to five thousand six of the Compiled Laws of eighteen hundred ninety-

seven, and all other acts and parts of acts inconsistent with this act are hereby repealed.

MILK.

(Act No. 26, Public Acts, 1873.)

AN ACT to prevent and punish offenders for the adulteration of milk, and the products made therefrom, and to repeal an act entitled "An act to prevent the adulteration of milk and to prevent the traffic in impure and unwholesome milk," approved March thirty-first, eighteen hundred and seventy-one.

The People of the State of Michigan enact:

76. SECTION 1. That whoever shall knowingly sell to any person or persons, or sell, deliver or bring to be manufactured to any cheese or butter manufactory in this State, any milk diluted with water, or in any way adulterated, or milk from which any cream has been taken, or milk commonly known as "skimmed milk," or shall keep back any part of the milk known as "strippings," with intent to defraud, or shall knowingly sell milk, the product of a sick or diseased animal or animals or any milk produced from any cow fed upon the refuse of a distillery, or of a brewery, or upon any substance deleterious to the quality of the milk, or shall knowingly use any poisonous or any deleterious material in the manufacture of any cheese or butter, or shall knowingly sell or offer to sell any cheese or butter, in the manufacture of which any poisonous or deleterious substance has been used, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined not less than ten dollars nor more than one hundred dollars, and may be committed to the county jail until such fine shall be paid: Provided, That such imprisonment shall not exceed ninety days; and shall be liable in double the amount of damages to the person or persons, firm, association, or corporation upon which such fraud shall have been committed. An act entitled "An act to prevent the adulteration of milk and to prevent the traffic in impure and unwholesome milk," approved March thirty-first, eighteen hundred seventy-one, is hereby repealed: Provided, That any right accrued or forfeiture incurred under said act, shall remain valid and binding, and may be enforced under said act as if the same were not repealed.

(Act No. 246, Public Acts, 1887.)

An ACT to prevent the sale of impure, unwholesome, adulterated, or swill milk in the State of Michigan, and to provide for inspectors.

The People of the State of Michigan enact:

77. SECTION 1. That it shall be unlawful for any person, either by himself or agent, to sell or expose for sale within the State of Michigan any unwholesome, watered, or adulterated or impure milk or swill milk or colostrum or milk from cows kept upon garbage, swill or any substance in a state of fermentation or putrefaction or other deleterious substances, or from cows kept in connection with any family in which there are infectious diseases. The addition of water or ice to milk is hereby declared an adulteration.

[Am. by Act No. 219, P. A. 1889.]

78. SEC. 2. Any person who shall violate any of the provisions of the preceding section shall be punished by a fine not to exceed one hundred dollars or (by) imprisonment not to exceed three months or by both such fine and imprisonment in the discretion of the court.

79. SEC. 3. It shall be the duty of the metropolitan police commissioners of the city of Detroit, by and with the consent and advice of the board of health of the city of Detroit, to appoint an inspector, who shall be a person of previous practical experience. Said inspector may be created captain, sergeant or roundsman of the said police force of the city of Detroit, at the option of the board of metropolitan police commissioners.

80. SEC. 4. It shall be the duty of said inspector to personally view, so far as possible, all milk exposed for sale in said city, and to visit all dairy houses, barns or stables in said city or the county of Wayne, to inspect the same, and the animals held therein, and to visit all places where milk is kept or exposed for sale in the city of Detroit, and to inspect and ascertain the condition of said milk. He may detail any patrolman of said city to assist him in the performance of any or all of the duties enjoined on him by this act: Provided, always, That said inspector and any policeman so detailed shall always be subject to the provisions of the law establishing and governing the metropolitan police of said city.

81. SEC. 5. It shall be the duty of said inspector or of his assistant, and of all other inspectors appointed under this act, to make complaint in writing before a police justice or justice of the peace, or other court having jurisdiction thereof, of every violation of this act coming to his knowledge.

[Am. by Act No. 219, P. A. 1889.]

82. SEC. 6. Each and every quantity of milk sold or exposed for sale contrary to the provisions of this act, shall constitute a separate offense.

83. SEC. 7. Any person who shall refuse to permit the said inspector, or his assistant (assistants) to perform his duty under this act, either by refusing him entrance to his premises or by concealing any milk, or

refusing to permit any milk or animal or premises wherein animals are kept, to be viewed and inspected as herein provided, or by in any manner hindering or resisting any said inspector or assistant inspector in the performance of his duty, shall be guilty of a misdemeanor, and punished therefor.

84. SEC. 8. Authority is hereby given the common council of any city, and the board of trustees or council of any village, to appoint an inspector of milk in any such city or village, and to fix their compensation, and when appointed the said inspectors of milk shall have all the powers given by section four of this act, and shall perform all the duties required of inspectors of milk as provided herein, and such other powers and duties as may be conferred or imposed by the ordinances of said cities or villages.

85. SEC. 9. Whoever shall adulterate by himself or his servant or agent, or sell, exchange or deliver, or have in his custody or possession with intent to sell or exchange the same, or exposes or offers for sale or exchange, adulterated milk or milk to which water or any foreign (substance) substances in any state of fermentation or putrefaction, or from sick or diseased cows, shall be guilty of a misdemeanor, and shall, for every such offense, be punished by a fine not exceeding one hundred dollars or by imprisonment in the county jail or the State House of Correction and Reformatory at Ionia not exceeding three months.

[Added by Act No. 219, P. A. 1889.]

86. SEC. 10. Whoever shall adulterate, himself or by his servant or agent, sell, exchange or deliver, or have in his custody or possession with intent to sell or exchange the same, or exposes or offers for sale as pure milk, any skimmed milk from which the cream or any part thereof has been removed shall be guilty of a misdemeanor, and shall for such offense, be punished by the penalty provided in the preceding section.

[Added by Act No. 219, P. A. 1889.]

87. SEC. 11. Any dealer in milk who shall by himself, servant or agent, sell, exchange or deliver, or have in his custody or possession with intent to sell, exchange or deliver the same, milk from which the cream or any part thereof has been removed, unless in a conspicuous place above the center upon the outside of every vessel, can or package from which such milk is sold, the words "Skimmed milk" are distinctly painted in letters not less than one inch in length, shall be guilty of a misdemeanor and shall be punished by a fine not exceeding one hundred dollars or by imprisonment in the county jail or Detroit House of Correction not exceeding three months.

[Added by Act No. 219, P. A. 1889.]

88. SEC. 12. If milk sold or offered for sale under the provisions of this act as pure milk, is shown upon analysis by weight to contain more than eighty-seven and fifty one-hundredths per centum of watery fluid, or to contain less than twelve and fifty one-hundredths of milk solids per centum, or less fat than three per centum, or if the specific gravity at 60 degrees Fahrenheit is not between 1 29-1000 to 1 33-1000, it shall be

deemed to be adulterated. If milk sold or offered for sale under the provisions of this act as skimmed milk has a specific gravity at 60 degrees Fahrenheit less than 1.032 and greater than 1.037, it shall be deemed to be adulterated.

[Added by Act No. 219, P. A. 1889.]

89. SEC. 13. Whenever any inspector of milk has reason to believe that any milk found by him is adulterated, he shall take specimens thereof and test the same with such instrument or instruments as are used for such purposes, and he shall make an analysis thereof, showing total solids, the percentage of butter, the percentage of water and the percentage of ash; and if the result of such test and analysis indicates that the milk has been adulterated or deprived of its cream or any part thereof, the same shall be prima facie evidence of such adulteration in a prosecution under this act.

[Added by Act No. 219, P. A. 1889.]

90. SEC. 14. Any person who shall remove the cream or any part thereof from milk to be sold as pure milk to any manufactory in which milk is used as a material in the process of production, and any person who shall, in any manner, adulterate such milk, either by the addition of water or otherwise, shall be guilty of a misdemeanor, and shall, for every such offense be punished by a fine not exceeding one hundred dollars or by imprisonment in the county jail or Detroit House of Correction not exceeding ninety days.

[Added by Act No. 219, P. A. 1889.]

(Act No. 106, Public Acts, 1899.)

AN ACT in relation to the sale and delivery of milk.

The People of the State of Michigan enact:

91. (C. L., 6415) SECTION 1. No person shall offer or expose for sale, sell, exchange or deliver, or have in his possession with intent to sell, exchange or deliver, any milk to which water, chemicals or preservatives, or any other foreign substance has been added. The term milk as used in this act shall include all skimmed milk, buttermilk, cream and milk in its natural state as drawn from the cow.

92. (C. L., 6416) SEC. 2. Whoever shall do any of the acts or things prohibited, or neglects or refuses to do any of the acts or things enjoined by this act, or in any way violates any of its provisions, shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than one dollar nor more than one hundred dollars and the costs of prosecution, or by imprisonment in the county jail not more than ninety days, or by both such fine and imprisonment in the discretion of the court.

This act is ordered to take immediate effect.

INSANITARY MILK AND CREAM.

(Act No. 222, Session Laws 1913.)

AN ACT to prevent and punish the sale of unclean and insanitary cream and milk and the use thereof in the manufacture of food products and to prohibit unclean and insanitary conditions of creameries, cheese factories, ice cream factories and milk dealers' establishments or out-fits and fixing standards of sanitary milk and cream, and to regulate the sale and transportation of same.

The People of the State of Michigan enact:

93. (C. L., 6417) SECTION 1. For the purpose of this act, the term "milk" shall mean the fresh, clean, lacteal secretion obtained by the complete milking of one or more healthy cows, properly fed and kept, excluding that obtained within eight days before and four days after calving, and contains not less than eight and one-half per cent of solids not fat, and not less than three per cent of milk fat; and the term "cream" shall mean that portion of milk, rich in milk fat, which rises to the surface of milk on standing, or is separated from it by centrifugal force, is fresh and clean, and contains not less than eighteen per cent of milk fat. Milk which shall be drawn from cows that are kept in barns or stables which are not reasonably well lighted and ventilated, or that are kept in barns or stables that are filthy from an accumulation of animal feces and excretia or from any other cause, or milk which shall be drawn from cows which are themselves in a filthy condition; or milk kept or transported in dirty, rusty or open-seamed cans or other utensils; or milk that is stale, putrescent, or putrid; or milk to which has been added any unclean, or unwholesome foreign substance; or milk which has been kept exposed to foul or noxious air or gases in barns occupied by animals, or kept exposed in dirty, foul or unclean places or conditions, is hereby declared to be insanitary milk. Cream produced from any such aforesaid insanitary milk; or cream produced by the use of a cream separator, which separator had not been thoroughly washed, cleansed and scalded after previous use in the separation of cream from milk; or cream produced by the use of a cream separator placed or stationed in any unclean or filthy room or place or in any building containing a stable wherein are kept cattle or other animals, unless such cream separator is so separated and shielded by a partition from the stable portion of such building as to be free from all foul or noxious air or gases which issue or may issue from such place or stable; or cream that is stale, putrescent, or putrid; or cream that is kept or transported in dirty, rusty or open-seamed cans or other utensils; or cream which has been kept exposed to foul or noxious air or gases in barns occupied by animals, or in dirty, foul or unclean places or conditions, is hereby declared to be insanitary cream.

94. (C. L., 6418) SEC. 2. No person shall by himself, his servant

or agent, or as the servant or agent of any other person, or as the officer, servant or agent of any firm or corporation, sell or offer for sale, furnish or deliver, or have in his possession or under his control with intent to sell or offer for sale, or furnish, or deliver to any person, firm or corporation as food for man, or to any creamery, cheese factory, milk condensing factory, or milk or cream dealer, any insanitary milk or any insanitary cream.

95. (C. L., 6419) SEC. 3. No person shall by himself, his servant or agent, or as the servant or agent of any other person, or as to the servant or agent of any firm or corporation, manufacture for sale any article of food for man from any insanitary milk or from any insanitary cream.

96. (C. L., 6420) SEC. 4. All premises and utensils used in the handling of milk, cream, and by-products of milk, and all premises and utensils used in the preparation, manufacture, or sale, or offering for sale of any food product for man from milk or cream or the by-products of milk, which shall be kept in an unclean, filthy or noxious condition are hereby declared to be insanitary. It shall be unlawful for any person, firm, or corporation engaged in selling or furnishing milk, cream, or any by-products of milk, intended for use as food for man; and it shall be unlawful for any person, firm or corporation engaged in selling or furnishing milk, cream, or any by-products of milk, to any creamery, cheese factory, milk condensing factory, or to any place where such milk, cream, or by-products of milk are manufactured or prepared into a food product for man and for sale as such; and it shall be unlawful for any milk dealer, or an employe of such milk dealer, or any person, firm or corporation, or the employe of such person, firm, or corporation, who operates a creamery, cheese factory, milk condensing factory, or who manufactures or prepares for sale any article of food for man from milk, cream, or by-product of milk, or who manufactures, reworks, or packs butter for sale as a food product, to maintain his premises and utensils in an insanitary condition.

97. (C. L., 6421) SEC. 5. Any person, firm or corporation, not a common carrier who receives from a common carrier in cans, bottles or other vessels any milk, or cream, ice cream or other dairy product intended as food for man, which has been transported over any railroad or boat line or by other common carrier, when such cans, bottles or vessels are to be returned, shall cause the said cans, bottles, or other vessels to be thoroughly washed and cleansed before return shipment.

98. (C. L., 6422) SEC. 6. Any person who by himself, his servant or agent, or as the servant or agent of any other person, or as the officer, servant or agent of any firm or corporation, who violates any provision of this act shall, upon conviction thereof, be punished by a fine of not more than one hundred dollars for each and every offense, or shall be imprisoned in the county jail not more than sixty days.

CONDENSED MILK LAW.

(Act No. 176, Session Laws 1913.)

AN ACT to regulate the sale of condensed milk, and to provide for the labeling thereof so as to prevent fraud and deception.

The People of the State of Michigan enact:

99. (C. L., 6423) SECTION 1. Every container of evaporated, concentrated or condensed whole milk, and every container of evaporated, concentrated or condensed skimmed milk, sold or offered for sale or had in possession or custody with intent to sell by any person, firm or corporation within this State, shall have plainly printed thereon in the English language, or attached thereto on some firmly affixed tag or label, a formula for extending the said evaporated, concentrated or condensed milk and said evaporated, concentrated or condensed skimmed milk, respectively, with water. The formula for the extension of said evaporated, concentrated or condensed whole milk shall be such that the resulting milk product shall not be below the Michigan standard of milk solids or fat for whole milk, and shall be in the following form: By addingparts of water to one part of the contents of this can a resulting milk product will be obtained which will not be below the legal standard for whole milk. The formula for the extension of said evaporated, concentrated or condensed skimmed milk shall be such that the resulting milk product shall not be below the Michigan standard of milk solids for skimmed milk, and shall be in the following form: By adding..... parts of water to one part of the contents of this can a resulting milk product will be obtained which will not be below the legal standard for skimmed milk.

100. (C. L., 6424) SEC. 2. Whoever, himself or by his servant or agent, or as the servant or agent of any person, firm or corporation, sells, exchanges or delivers, or has in his custody or possession with intent to sell, exchange or deliver any container of evaporated, concentrated or condensed milk, within this State, shall mark or label in compliance with the provisions of this act, shall, for the offense, be punished by a fine of not more than one hundred dollars or by imprisonment for not less than three nor more than six months.

101. (C. L., 6425) SEC. 3. The provisions of this act with reference to the labeling of containers of condensed, concentrated and evaporated skimmed milk shall take effect upon the first day of October, in the year nineteen hundred thirteen; the remaining provisions of this act shall take effect upon the first day of January in the year nineteen hundred fourteen.

OLEOMARGARINE.

(Act No. 63, Public Acts, 1913.)

AN ACT to regulate the manufacture, display, advertisement and sale of oleomargarine or imitation butter and to prevent fraud and deception therein and to provide penalties for violations thereof, and to repeal act number one hundred forty-seven of the Public Acts of eighteen hundred ninety-nine, entitled "An act in relation to the manufacture and sale of oleomargarine or imitation butter."

The People of the State of Michigan enact:

102. (C. L., 6395) SECTION 1. No person shall sell, expose or offer for sale or exchange, or have in his possession with intent to sell or exchange, any oleomargarine or other substance made in imitation of butter, and which is intended to be used as a substitute for butter, unless each and every vessel, package, roll or parcel of such substance has distinctly and durably printed, stamped or stenciled thereon in black letters the true name of such substance, in ordinary bold faced capital letters, not less than five line pica in size; and also the name and address of the manufacturer, in ordinary bold faced letters, not less than pica in size.

103. (C. L., 6396) SEC. 2. No person shall sell, exchange or deliver any oleomargarine or other substance made in imitation of butter, and which is intended to be used as a substitute for butter, unless he shall also deliver to the purchaser of each and every roll, package or parcel of such oleomargarine or other substance, at the time of the delivery of the same, a distinct label, on which is plainly and legibly printed in black ink in ordinary bold faced capital letters not less than five line pica in size, the true name of such substance and also the name and address of the manufacturer, in ordinary bold faced letters not less than pica in size.

[Am. by Act No. 116, P. A. 1915.]

104. (C. L., 6397) SEC. 3. The proprietor or keeper of any store, hotel, restaurant, eating saloon, boarding house, or other place where oleomargarine is sold or furnished to persons paying for the same, shall have placed on the walls of every store or room where oleomargarine is sold or furnished a white placard on which is printed in black ink, in plain Roman letters of not less than three inches in length, and not less than two inches in width, the words "Oleomargarine sold or used here," and shall at all times keep the same exposed in such conspicuous place as to be readily seen by any and all persons entering such store, or other room or rooms.

105. (C. L., 6398) SEC. 4. No person shall use in any way, in connection or association with the sale or exposure for sale or advertisement of any substance designed to be used as a substitute for butter, the word

"butter", "creamery", or "dairy", or the name or representation of any breed of dairy cattle, or any combination of such word or words and representation, or any other words or symbols or combination thereof commonly used in the sale of butter.

106. (C. L., 6399) SEC. 5. For the purpose of this act the word "butter" shall be understood to mean the food product usually known as butter, and which is made exclusively from milk or cream, or both, with or without common salt, and with or without additional coloring.

107. (C. L., 6400) SEC. 6. For the purpose of this act certain manufactured substances, certain extracts and certain mixtures and compounds, including such mixtures and compounds with butter, shall be known and designated as "oleomargarine", namely: All substances heretofore known as oleomargarine, oleo, oleomargarine oil, butterine, lardine, suine and neutral; all mixtures and compounds of oleomargarine, oleo, oleomargarine oil, butterine, lardine, suine and neutral; all lard extracts and tallow extracts; and all mixtures and compounds of tallow, beef fat, suet, lard, lard oil, vegetable oil, butterine, lardine, suine and neutral; all lard extracts and tallow extracts; and all mixtures and compounds of tallow, beef fat, suet, lard, lard oil, vegetable oil, intestinal fat, and offal fat, made in imitation or semblance of butter, or when so made, calculated or intended to be sold or used as butter or for butter.

108. (C. L., 6401) SEC. 7. Whoever violates any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty dollars, nor more than five hundred dollars, and the costs of prosecution, or by imprisonment in the county jail or State House of Correction and Reformatory at Ionia, for not less than six months nor more than three years, or by both such fine and imprisonment in the discretion of the court, for each and every offense. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

109. (C. L., 6402) SEC. 8. Act number one hundred forty-seven of the Public Acts of eighteen hundred ninety-nine, is hereby repealed.

(Act No. 22 Public Acts, 1901.)

AN ACT to prevent deception in the manufacture and sale of imitation butter.

The People of the State of Michigan enact:

110. (C. L., 6393) SECTION 1. No person, by himself, or his agents, or servants, shall render or manufacture, sell, or offer for sale, expose for sale, or have in his possession with intent to sell, any article, product or compound made wholly or in part out of any fat, oil or oleaginous substance or compound thereof, not produced from unadulterated milk or cream from the same, which shall be in imitation of yellow butter produced from pure unadulterated milk or cream of the same: Provided, That nothing in this act shall be construed to prohibit the manufacture

or sale of oleomargarine in a separate and distinct form, and in such manner as will advise the consumer of its real character, free from coloration or ingredient that causes it to look like butter.

111. (C. L., 6394) SEC. 2. Whoever violates any of the provisions of section one of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars, and the costs of prosecution, or by imprisonment in the county jail or State House of Correction and Reformatory at Ionia for not less than six months nor more than three years, or by both such fine and imprisonment in the discretion of the court, for each and every offense.

RENOVATED BUTTER.

(Act No. 243, Public Acts, 1903, as amended.)

AN ACT in relation to the manufacture and sale of renovated butter.

The People of the State of Michigan enact:

112. (C. L., 6405) SECTION 1. No person, firm or corporation shall manufacture for sale, offer or expose for sale, sell, exchange or deliver, or have in his possession with the intent to sell, exchange or deliver, any butter that is produced by taking original packing stock butter or other butter, or both, melting the same so that the butter fat can be drawn off or extracted, mixing the said butter fat with skimmed milk, or milk or cream, or other milk product, and rechurning or reworking the said mixture; nor shall any person, firm or corporation manufacture for sale, offer or expose for sale, sell, exchange or deliver, or have in his possession for any such purpose any butter which has been subjected to any process by which it is melted, clarified or refined, and made to resemble butter, and is commonly known as boiled, process or renovated butter, and which for the purpose of this act is hereby designated as "Renovated Butter," unless the same shall be branded or marked as provided in section two of this act.

113. (C. L., 6406) SEC. 2. Whoever, himself or by his agent or as the servant or agent of another person, shall sell, expose for sale or have in his custody or possession with the intent to sell any renovated butter as defined in section one of this act, shall have the words "renovated butter" conspicuously stamped, labeled or marked in one or two lines and in plain Gothic letters, at least three-eighths of an inch square, so that the words cannot easily be defaced, upon two sides of each and every tub, firkin, box or package containing said renovated butter; or if such butter is exposed for sale uncovered, or not in a case or package, a placard containing said words in the same form as above described in this section shall be attached to the mass in such a manner as to be easily seen and read by the purchaser. When renovated butter is sold from such pack-

ages or otherwise at retail in print, roll or other form, before being delivered to the purchaser, it shall be wrapped in wrappers plainly stamped on the outside thereof with the words "renovated butter" printed or stamped thereon in one or two lines, and in plain Gothic letters at least three-eighths of an inch square, and such wrappers shall contain no other words or printing thereon, and said words "renovated butter" so stamped or printed on the said wrapper shall not be in any manner concealed, but shall be in plain view of the purchaser at the time of the purchase. The proprietor or keeper of any hotel, restaurant, eating saloon, boarding house, or other place where renovated butter is furnished to persons paying for the same, shall have placed on the walls of every store or room where renovated butter is furnished, a white placard on which is printed in black ink, in plain Roman letters of not less than three inches in length, and not less than two inches in width, the words "renovated butter used here," and shall at all times keep the same exposed in such a conspicuous place as to be readily seen by any and all persons entering such store, hotel, restaurant or other room or rooms.

[Am. by Act No. 119, P. A. 1909. Am. by Act No. 15, P. A. 1915.]

114. (C. L., 6407) SEC. 3. Whoever shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than twenty-five dollars nor more than five hundred dollars, and the costs of prosecution, or by imprisonment in the county jail or Michigan Reformatory at Ionia, for not less than six months nor more than three years, or by both such fine and imprisonment, in the discretion of the court, for each and every offense.

115. (C. L., 6408) SEC. 4. Act number two hundred fifty-four of the Public Acts of eighteen hundred ninety-nine, entitled "An act to regulate the sale of butter produced by taking original packing stock and other butter and melting the same so that the butter oil can be drawn off, mixed with skimmed milk or other material, and by emulsion or other process produce butter, and butter produced by any similar process and commonly known as "process" butter; providing for the enforcement thereof, and punishment for the violation of the same," is hereby repealed.

BUTTER AND CREAM STANDARDS.

(Act No. 182, Public Acts, 1913.)

AN ACT to regulate the sale of butter and cream in the State of Michigan, and to prescribe a penalty for the violation of this act.

The People of the State of Michigan enact:

116. (C. L., 6412) SECTION 1. No person shall offer or expose for sale, have in his possession with intent to sell, or sell as butter any product which contains less than eighty per cent of milk fat, and which is not

made exclusively from milk or cream, or both, with or without common salt and with or without additional coloring matter.

117. (C. L., 6413) SEC. 2. No person shall offer or expose for sale, have in his possession with intent to sell, or sell as cream any product which contains less than eighteen per cent of milk fat, and which is not that portion of milk, rich in milk fat, which rises to the surface of milk on standing, or is separated from it by centrifugal force, and which is not clean: Provided, That the provisions of this act shall not be deemed to apply to any person not a manufacturer or producer of butter and cream, who has bought the products mentioned in this act for resale, and when found to be under the standard prescribed by this act, shall furnish information from whom his products were received.

118. (C. L., 6414) SEC. 3. Whoever shall do any of the acts or things prohibited, or wilfully neglect or refuse to do any of the acts or things enjoined by this act, or in any way violate any of its provisions, shall be deemed guilty of a misdemeanor, and where no specific penalty is prescribed by this act shall be punished by a fine of not less than twenty-five nor more than one-hundred dollars, or by imprisonment in the county jail for a period of not more than ninety days, or by both such fine and imprisonment in the discretion of the court.

CANDY.

(Act No. 207, Public Acts, 1911.)

AN ACT to prevent the adulteration of candies and to regulate the sale thereof.

The People of the State of Michigan enact:

119. (C. L., 6532) SECTION 1. No person, firm or corporation, shall manufacture for sale, offer or expose for sale, sell, exchange or deliver, or have in his possession with the intent to sell, exchange or deliver, any candies or confectioneries adulterated by the admixture of terra alba, barytes talc or other earthy or mineral substances, or any poisonous colors, flavors or extracts, or other deleterious ingredients detrimental to health.

120. (C. L., 6533) SEC. 2. Whoever violates any of the provisions of section one of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than fifty dollars nor more than one thousand dollars and the costs of prosecution, or by imprisonment in the county jail or State House of Correction and Reformatory at Ionia, for not less than six months nor more than three years, or by both such fine and imprisonment in the discretion of the court for each and every offense.

121. (C. L., 6534) SEC. 3. All acts and parts of acts inconsistent with this act are hereby repealed.

PEPPER.

(Act No. 180, Public Acts, 1901.)

AN ACT to provide for the manufacture and sale of black pepper in this State and to provide a penalty for the violation of the provisions of this act.

The People of the State of Michigan enact:

122. (C. L., 6519) SECTION 1. Within this State no person, firm or corporation shall manufacture, offer or expose for sale, keep in possession with intent to sell, or sell any ground or whole black pepper containing any foreign substance whatever. All black pepper shall contain not more than six and one-half per cent ash or mineral matter; and shall contain not less than twenty-five per cent starch as determined by the diastase method; and shall contain not less than six-tenths of one per cent nor more than one and three-fourths per cent volatile ether extract; and shall contain not more than ten per cent nor less than six and one-half per cent of non-volatile ether extract; and shall contain not more than sixteen per cent of crude fibre.

123. (C. L., 6520) SEC. 2. Whoever shall do any of the acts or things prohibited, or neglects or refuses to do any of the acts or things enjoined by this act, or in any way violates any of its provisions, shall be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than twenty-five dollars nor more than five hundred dollars and the costs of the prosecution, or by imprisonment in the county jail not more than ninety days, or by both such fine and imprisonment, in the discretion of the court.

CORN SYRUP.

(Act No. 123, Public Acts, 1903.)

AN ACT in relation to the sale of corn syrup.

The People of the State of Michigan enact:

124. (C. L., 6471) SECTION 1. No person shall offer or expose for sale, have in his possession with intent to sell, or sell, any cane syrup, beet syrup, or glucose, unless the barrel, cask, keg, can, pail or package containing the same be distinctly branded or labeled with the true and appropriate name; nor shall any person offer or expose for sale, have in his possession with intent to sell, or sell any cane syrup or beet syrup mixed with glucose unless the barrel, cask, keg, can, pail or package containing the same be distinctly branded or labeled "Glucose Mixture"

or "Corn Syrup," in plain Gothic type not less than three-eighths of an inch square with the name and percentage by weight of each ingredient contained therein plainly stamped, branded or stenciled on each package in plain Gothic letters not less than one-quarter of an inch square. Each and every package of syrup either simple or mixed shall bear the name and address of the manufacturer. Such mixtures or syrups shall have no other designation or brand than herein required that represents or is the name of any article which contains a saccharine substance; and all brands or labels required shall be an inseparable part of the general or distinguishing label, and that the general or distinguishing label shall be that principal and conspicuous sign under which it is sold.

125. (C. L., 6472) SEC. 2. Whoever shall do any of the acts or things prohibited, or neglect or refuse to do any of the acts or things required by this act, or in any way violate any of the provisions, shall be deemed guilty of a misdemeanor, and shall be punished by a fine not less than twenty-five dollars nor more than one-hundred dollars, or by imprisonment in the county jail for a period of not less than thirty nor more than ninety days, or by both such fine and imprisonment in the discretion of the court.

This act is ordered to take immediate effect.

PRESERVATIVES.

(Act No. 7, Public Acts, 1905.)

AN ACT in relation to the use of preservatives in food products.

The People of the State of Michigan enact:

126. (C. L., 6517) SECTION 1. No person, firm or corporation shall manufacture, sell, offer for sale, expose for sale, or have in his possession with intent to sell, any food product containing benzoic acid or benzoate of sodium, or any other harmless preservative, unless each and every package containing the same shall, in the condition in which it is exposed for sale, be distinctly, conspicuously, and legibly branded, labeled or marked, in plain English letters, with the words "prepared with" followed by the proper English name of the preservative used: Provided, That nothing in this act shall be construed to prohibit or regulate, by branding or otherwise, the use as a preservative of common salt, syrup, sugar, salt petre, spices, alcohol, vinegar, or wood smoke: And provided further, That the provisions of this act shall not apply to dairy products.

127. (C. L., 6518) SEC. 2. Whoever shall do any of the acts or things prohibited, or neglect or refuse to do any of the acts or things required by this act, or in any way violate any of its provisions, shall be deemed guilty of a misdemeanor, and shall be punished by a fine not less than ten dollars nor more than one hundred dollars, or by imprisonment in the county jail for a period of not more than ninety days, or by both such fine and imprisonment in the discretion of the court.

This act is ordered to take immediate effect.

MAPLE SUGAR AND SYRUP.

(Act No. 170, Public Acts, 1893.)

AN ACT to prohibit the adulteration of maple sugar, maple molasses and maple syrup.

The People of the State of Michigan enact:

128. (C. L., 6468) SECTION 1. That it shall be unlawful for any person, dealer, firm, manufacturer or corporation to manufacture and sell, or offer for sale, any maple sugar, maple molasses or maple syrup that is in anywise adulterated with common sugar, beet sugar, glucose or any other foreign substance without distinctly marking, stamping or labeling the article or the package containing the same with the true and appropriate name of such article and percentage in which common sugar, beet sugar, glucose or any other foreign substance enters into the composition of the same.

129. (C. L., 6469) SEC. 2. Any person, dealer, firm, manufacturer or corporation who shall sell or offer for sale, and who shall falsely stamp or misrepresent or label any cans, jugs, jars or packages containing maple molasses or maple syrup, and any person, dealer, firm, manufacturer or corporation who shall sell or offer for sale any maple sugar that is in anywise adulterated, who falsely misrepresents or labels or stamps the same, or knowingly permits such misrepresentation or false stamping or labeling, shall be deemed guilty of a misdemeanor and punished with a fine not less than fifty dollars, in case of vendor, and in the case of manufacturers and those falsely or fraudulently stamping or labeling or misrepresenting such goods, shall be fined not less than five hundred dollars, nor more than one thousand dollars, and it shall be the duty of any board of health in this State, or food commissioner, should there be one, cognizant of any violation of this act to prosecute any person, dealer, firm, manufacturer, or corporation, which it has reason to believe has violated any of the provisions of this act, and after deducting the costs of trial and conviction the balance of fine recovered, one-half be placed in the township treasury wherein the conviction is made, the balance placed to the general fund of the county. Any (person) persons, dealer, firm, manufacturer or corporation who shall knowingly sell or offer for sale any cans, jugs, jars, or packages containing maple molasses, maple syrup, or maple sugar, that is in anywise adulterated, shall be deemed guilty of a misdemeanor and punished by a fine of not more than one hundred dollars, or by imprisonment in the county jail for a period not to exceed three months, or by both such fine and imprisonment, at the discretion of the court.

130. (C. L., 6470) SEC. 3. Any person, dealer, firm, manufacturer, or corporation, who shall falsely stamp or misrepresent or label any cans, jugs, jars, or packages, containing maple molasses, or maple syrup, or maple sugar, that is in anywise adulterated, or knowingly permits such

(misrepresentation) misrepresentations or false stamping or labeling, shall be deemed guilty of a misdemeanor, and punished by a fine, not more than five hundred dollars, or by imprisonment in the county jail for a period of not more than one year, or by both such fine or imprisonment, in the discretion of the court.

ICE CREAM.

(Act No. 70, Public Acts, 1909.)

AN ACT to regulate the manufacture and sale of ice cream within the limits of the State of Michigan.

The People of the State of Michigan enact:

131. (C. L., 6430) SECTION 1. No person, firm or corporation shall manufacture for sale, keep for sale, sell, barter, exchange or deal in ice cream which shall contain any substance other than milk, cream, eggs, sugar, and some neutral flavoring gelatin or vegetable gums or which contain other than the required amount of milk fat as hereinafter provided.

132. (C. L., 6431) SEC. 2. No person, firm or corporation shall manufacture for sale, keep for sale, sell, barter, or deal in ice cream adulterated within the meaning of this act.

133. (C. L., 6432) SEC. 3. Ice cream shall be deemed to be adulterated within the meaning of this act:

First, If it shall contain boric acid, formaldehyde, saccharin, or any other added substance or compound that is deleterious to health;

Second, If it shall contain salts of copper, iron oxide, ocrs or any coloring substance deleterious to health: Provided That this paragraph shall not be construed to prohibit the use of harmless coloring matter in ice cream when not used for fraudulent purposes;

Third, If it shall contain any deleterious flavoring matter, or flavoring matter not true to name;

Fourth. If it be an imitation of, or offered for sale under the name of another article;

Fifth, If it contains less than ten per centum of milk fat, except where fruit or nuts are used for the purpose of flavoring when it shall not contain less than eight per centum milk fat. Nothing in this act shall be construed to prohibit the use of not to exceed seven-tenths of one per centum of pure gelatin, gum tragacanth or other vegetable gums.

[Am. by Act No. 224, P. A. 1913.]

134. (C. L., 6433) SEC. 4. The standard of ice cream in this State and for the purpose of this act is hereby declared to be a frozen product made from milk, cream, eggs and sugar with or without a natural flavoring and the gums mentioned in the preceding section and contains not less than ten per cent of milk fat. Fruit ice cream is a frozen product

made from milk, cream, eggs and sugar and sound, clean, mature fruits, and contains not less than eight per cent of milk fat. Nut ice cream is a frozen product made from milk, cream, eggs, sugar and sound, non-rancid nuts, and contains not less than eight per cent of milk fat.

[Am. by Act No. 224, P. A. 1913.]

135. (C. L., 6434) SEC. 5. It shall not be lawful for any person, firm or corporation to sell, offer for sale, expose for sale, or have in possession with intent to sell, any ice cream in any container which is falsely labeled or branded as to the name of the manufacturer thereof or to misrepresent in any way the place of manufacture of ice cream or the manufacturer thereof.

136. (C. L., 6435) SEC. 6. Each person, firm or corporation engaged in the manufacture of ice cream as a business within this State, after this act shall take effect, shall file with the Dairy and Food Commissioner an application for a license accompanied with a fee of five dollars, and upon receipt of such application the Dairy and Food Commissioner shall issue to the person, firm or corporation making such application a license to manufacture ice cream, as provided in this act, which license shall run for one year from the date of the application, and shall be renewed annually thereafter.

The money so collected by the Dairy and Food Commissioner shall be paid into the State treasury and be used to help defray the expenses of the office of the Dairy and Food Commissioner in addition to the annual appropriation therefor: Provided, That this section shall not apply except in cities of more than three thousand inhabitants, by the last United States census, to any person, firm or corporation manufacturing and selling ice cream by the dish direct to the consumer.

137. (C. L., 6436) SEC. 7. Any person, firm or corporation who shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than twenty-five dollars nor more than one hundred dollars, or by imprisonment in the county jail for not less than thirty days nor more than ninety days, or by both such fine and imprisonment in the discretion of the court.

138. (C. L., 6437) SEC. 8. The Dairy and Food Commissioner shall be charged with the enforcement of the provisions of this act. This act is ordered to take immediate effect.

MILL PRODUCTS.

(Act No. 208, Public Acts, 1909.)

AN ACT to establish uniform weights and measures of the various products of cereals in barrels or the fractional parts thereof when packed for sale or exposed for sale to firms or persons within this State, and to provide for the marking of the weight on packages of the products of such cereals.

The People of the State of Michigan enact:

139. (C. L., 6260) SECTION 1. When mill products of wheat, corn, rye or buckwheat, known as flour, grits, meal or compounds of the same are placed or packed in barrels, fractional parts of a barrel or sacks to be sold or billed to any person or persons within this State, the standard weight or measure of a barrel or the fractional part thereof shall be as follows, viz:

One hundred ninety-six pounds for a barrel;

Ninety-eight pounds for one-half barrel;

Forty-nine pounds for one-quarter barrel;

Twenty-four and one-half pounds for one-eighth barrel;

Twelve and one-fourth pounds for one-sixteenth barrel;

Six and one-eighth pounds for one thirty-second barrel.

The full and correct weights as herein established shall be placed in said barrel or fractional part thereof by the manufacturer, company, dealer, person or persons filling the same, and the weights as herein established shall be the legal weights in this State for such packages when they are bought or sold, offered or exposed for sale, or in possession with intent to sell, or sold and delivered, or ordered or billed.

140. (C. L., 6261) SEC. 2. No person or persons shall sell, offer or expose for sale in this State by the barrel, or by the fractional parts of a barrel as herein established, any of the mill products specified in section one hereof, unless the barrel or fractional part of such barrel shall contain the full weight of such mill product as is provided for in section one hereof.

141. (C. L., 6262) SEC. 3. Before any package containing the mill products or compounds of such mill products specified in section one of this act shall be sold or offered or exposed for sale in this State, the number of pounds contained therein shall be plainly printed or stamped on the face label in plain English letters and numbers not less than one-half an inch high. When such packages are sold as one-half, one-quarter, one-eighth, one-sixteenth or one-thirtysecond of a barrel they shall be so marked in addition to the number of pounds marked thereon as herein provided.

142. (C. L., 6263) SEC. 4. No manufacturer, company, dealer or person shall abstract any part of the mill products from the standard package or fractional parts named in section one, and sell such package as a barrel or fractional part of a barrel as defined in section one.

143. (C. L., 6264) SEC. 5. Any manufacturer, company, dealer, person or persons who shall knowingly sell, offer or expose for sale or for distribution in this State any package containing mill products of the cereals enumerated in section one which are stamped or labeled with a greater number of pounds than such package actually contains, or who shall put up or sell in this State any of the mill products of the above named cereals in a manner contrary to the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than twenty-five dollars nor more than five hundred dollars and the costs of prosecution, or by imprisonment in the county jail or the Michigan Reformatory at Ionia for not less than ninety-days nor more than one year or by both such fine and imprisonment in the discretion of the court for each and every offense: Provided, however, That nothing in this act shall be construed to cover or affect sales or shipments made to any manufacturer, company, dealer, person, or persons outside of this State and not intended for sale or shipment back into this State.

144. (C. L., 6265) SEC. 6. It shall be the duty of the Dairy and Food Commissioner to investigate all complaints of violations of this act, and to take all steps necessary to its enforcement. It shall be the duty of all prosecuting officers of this State to prosecute to completion all suits brought under the provisions of this act upon complaint of said commissioner or any person.

145. (C. L., 6266) SEC. 7. This act shall take effect and be operative from and after January first, nineteen hundred ten.

LINSEED OR FLAXSEED OIL.

(Act No. 110, Public Acts, 1909.)

AN ACT to prevent the adulteration of linseed oil or flaxseed oil and to prevent fraud in the sale thereof and in the sale of compounds thereof, and to repeal all acts in conflict herewith.

The People of the State of Michigan enact:

146. (C. L., 6321) SECTION 1. No person, firm or corporation, by himself, his servant, or his agent, or as the servant or agent of any other person, firm or corporation, shall manufacture or mix for sale, sell, offer or expose for sale, or have in his possession with intent to sell in this State, under the name of raw linseed oil or raw flaxseed oil, any substance which is not wholly the product obtained from well cleaned flaxseed or linseed, and unless the aforesaid oil also fulfills the requirements of the nineteen hundred edition of the Pharmacopoeia of the United States, which follows:

1. Specific gravity 0.925 to 0.935 at 25 deg. C. (77 deg. F.) It does not congeal at temperatures above 20 deg. C. (—4 deg. F.). It is soluble in about ten parts of absolute alcohol and in all proportions in ether,

chloroform, petroleum, benzine, carbon disulphide and oil of turpentine. It should not more than slightly redden blue litmus paper, previously moistened with alcohol (limit of free acid). The oil should be completely saponifiable with alcoholic potassium hydroxide T. S. and the resulting soap should be completely soluble in water without leaving an oily residue, (an absence of mineral oils and rosin oils). If 2 CC. of the oil be warmed and shaken in a test tube with an equal volume of glacial acetic acid, and if to this mixture, after cooling, one drop of sulphuric acid be added, a greenish color should be produced. (A violet color under these circumstances indicates the presence of rosin oils). Linseed oil saponified by alcoholic potassium hydroxide T. S. should show a saponification value of from 187 to 195. If 0.15 CC. of linseed oil be dissolved in 10 CC. of chloroform in a 250 CC. flask and 25 CC. of a mixture of equal volume of alcoholic iodine T. S. and alcoholic mercuric chloride T. S. added, and if, after standing for sixteen hours, protected from the light, 20 CC. potassium iodide T. S. be introduced and the mixture diluted with 50 CC. of water, on titrating the excess of iodine with tenth normal sodium thiosulphate V. S. an iodine value of not less than 170 should be obtained. No person, firm or corporation, by himself, his servant or his agent, or as the servant of any other person, firm or corporation, shall manufacture or mix for sale, sell, offer or expose for sale or have in his possession with intent to sell in this State, any substance as boiled linseed oil or as boiled flaxseed oil, unless the same shall have been prepared by heating raw linseed oil, as above defined: Provided, That if drier is used in said boiled linseed oil or boiled flaxseed oil, the same shall have been prepared by incorporating said drier with raw linseed oil, as defined above, at a temperature of not less than 225 deg. Fahrenheit, and furthermore contains not less than 96 per cent of linseed oil; and for the purpose of this act it shall also be deemed a violation thereof if said boiled linseed oil prepared either with or without drier does not conform to the following requirements: 1. Its specific gravity at 60 deg. Fahrenheit must be not less than 0.935 and not greater than 0.945; 2. Its saponification value (Koettstorfer figure) must not be less than 186; 3. Its iodine number (Huebl's method) must be not less than 160; 4. Its acid value must not exceed 10; 5. The volatile matter expelled at 212 deg. Fahrenheit must not exceed one-half of one per cent; 6. No mineral oil shall be present and the amount of unsaponifiable matter as determined by standard methods shall not exceed 2.5 per cent; 7. The film left after flowing the oil over glass and allowing it to drain in a vertical or nearly vertical position must dry free from tackiness in not to exceed twenty hours, at a temperature of about 70 deg. Fahrenheit. Linseed oil or flaxseed oil which does not conform to the foregoing requirements shall be deemed to be adulterated within the meaning of this act.

147. (C. L., 6322) SEC. 2. No person, firm or corporation, either by himself or another, shall sell, offer or expose for sale, or have in his possession with intent to sell in this State any linseed oil or flaxseed oil, except under its true name, and unless each barrel, keg or can of such oil has plainly marked and durably painted, stamped, stenciled, labeled or marked thereon the true name of such oil in ordinary bold-faced capital letters, not less than five lines pica in size, together with the name

and address of the manufacturer, jobber or dealer: Provided, That if the contents of the package be less than twenty-five gallons, the type shall not be less than two lines pica in size. Proof that any person, firm or corporation has or had possession of any oil or compound which is adulterated or misbranded within the meaning of this act shall be prima facie evidence that the possession thereof is in violation of this act.

148. (C. L., 6323) SEC. 3. Linseed oil compounds or flaxseed oil compounds designated to take the place of raw or boiled linseed oil or raw or boiled flaxseed oil as defined in section one of this act, whether sold, offered or exposed for sale under invented proprietary names or titles or not, shall bear conspicuously upon the containing vessel, in capital letters not less than five lines pica in size, the word "Compound," followed immediately with the true distinctive names of the actual ingredients in the order of their greater preponderance, in the English language, in plain legible type of the same size, not less than two lines pica in size, in continuous list with no intervening matter of any kind, and shall also bear the name and address of the manufacturer, jobber or dealer. Any oil or compounds required to be branded by the provisions of this act shall be deemed to be misbranded within the meaning of this act.

149. (C. L., 6324) SEC. 4. It is hereby made a duty of the State Dairy and Food Commissioner to enforce the provisions of this act.

150. (C. L., 6325) SEC. 5. The State Dairy and Food Commissioner, his agents, assistants, inspectors, chemists or others appointed by him, shall have full right of ingress and egress to the premises occupied by parties who manufacture, sell or deal in linseed oil or flaxseed oil, or linseed oil compounds or flaxseed oil compounds, and also shall have power and authority to open any tank, barrel, can or other vessel believed to contain such oil and inspect the contents thereof and to take therefrom samples for analysis. In case any sample so taken shall prove on analysis to be adulterated or misbranded in violation of the provisions of this act it shall be the duty of the State Dairy and Food Commissioner to proceed against the offender as herein provided. No person shall obstruct the Dairy and Food Commissioner or any of his assistants by refusing entrance to any place which he desires to enter in the discharge of his official duty as provided in this act, nor shall any person refuse to deliver to him a sample of oil when same is requested and when the value thereof is tendered.

151. (C. L., 6326) SEC. 6. Any person, firm or corporation convicted of violating any of the provisions of the foregoing act shall, for the first offense be punished by a fine in any sum not less than twenty-five dollars and not more than one-hundred dollars or by imprisonment in the county jail not exceeding thirty days, or by both such fine and imprisonment in the discretion of the court; and for the second and each subsequent offense by a fine of not less than fifty dollars and not more than two hundred dollars or by imprisonment in the county jail not exceeding one year, or both in the discretion of the court; or the fine above may be sued for and recovered before any justice of the peace of any court of competent jurisdiction, in the county where the offense shall have been committed, at the instance of the State Dairy and Food Commissioner or any other person in the name of the people of the

State of Michigan as plaintiff and shall be recovered in an action of debt.

152. (C. L., 6327) SEC. 7. All acts and parts of acts inconsistent with this act are hereby repealed.

DRUGS.

(Act No. 146, Public Acts, 1909.)

AN ACT to prohibit and prevent adulteration, misbranding, fraud and deception in the manufacture and sale of drugs and drug products in the State of Michigan, and to provide for the enforcement thereof.

The People of the State of Michigan enact:

153. (C. L., 6521) SECTION 1. No person shall within this State manufacture for sale, have in his possession with intent to sell, offer or expose for sale, or sell, any drug or drug product which is adulterated or misbranded within the meaning of this act.

154. (C. L., 6522) SEC. 2. The term "drug" as used in this act shall include all medicines and preparations recognized in the United States Pharmacopoeia or National Formulary for internal or external use, and any substance or mixture of substances or device intended to be used for the cure, mitigation or prevention of disease of either man or other animals.

[Am. by Act No. 152, P. A. 1915.]

155. (C. L., 6523) SEC. 3. Any article shall be deemed to be adulterated within the meaning of this act:

First, If, when it is sold under or by a name recognized in the United States Pharmacopoeia or National Formulary, it differs from the standard of strength, quality or purity as determined by the test laid down in the United States Pharmacopoeia or National Formulary official at the time of investigation: Provided, That no drug defined in the United States Pharmacopoeia or National Formulary shall be deemed to be adulterated under this provision, if the standard of strength, quality or purity be plainly stated upon the principal label of the bottle, box or other container thereof, although the standard may differ from that determined by the test laid down in the United States Pharmacopoeia or National Formulary;

Second, If the strength or purity fall below the professed standard or quality under which it is sold.

[Am. by Act No. 152, P. A. 1915.]

156. (C. L., 6524) SEC. 4. An article shall be deemed to be misbranded within the meaning of the act:

First, If it is an imitation of, or offered for sale under the name of another article;

Second, If the contests of the package as originally put up shall have been removed in whole or in part, and other contents shall have been placed in such package, or if the package fail to bear a statement on the label of the quantity or proportion of any alcohol, antipyrin, opium, morphine, codeine, heroin, cocaine, alpha or beta, eucaïne, chloroform, cannabis indica, chloral hydrate or acetanilide, or any derivative or preparation of any such substances, contained therein: Provided, That nothing herein shall be construed to apply to the dispensing of prescriptions written by regularly licensed practicing physicians, veterinary surgeons and dentists, and kept on file by the dispensing pharmacist, nor to such drugs as are recognized in the United States Pharmacopoeia and National Formulary, and which are sold under the name by which they are so recognized;

Third, If the package containing it or its label shall bear any statement, design or device regarding the ingredients, or the substances contained therein, which statement, design or device shall be false or misleading in any particular, and to any drug or drug product which is falsely branded as to the state, territory or country in which it is manufactured or produced;

Fourth, If its package or label shall bear or contain any statement, design or device regarding the curative or therapeutic effect of such articles or any of the ingredients or substances contained therein, which is false and fraudulent.

[Am. by Act No. 152, P. A. 1915.]

157. (C. L., 6525) SEC. 5. The president of the board of pharmacy, the president of the State Board of Health and the Dairy and Food Commissioner shall jointly make such rules and regulations as may be necessary for the enforcement of this act.

158. (C. L., 6526) SEC. 6. It shall be the duty of the Dairy and Food Commissioner to investigate all complaints of violations of this act and take all steps necessary to its enforcement; and to this end he shall appoint two drug inspectors who shall be registered pharmacists, and one competent analyst which inspectors and analyst shall hold office at the pleasure of said commissioner, and until others are appointed; and the said Dairy and Food Commissioner or his deputy and the said drug inspectors or any of them shall in a lawful manner inquire into the drug products which are manufactured or sold or exposed for sale in this State, and may in a lawful manner procure samples of the same for analysis; and the said Dairy and Food Commissioner, his deputy, or said drug inspectors or any of them, shall have power to enter into any factory, store, salesroom, drug store or laboratory or place where he has reason to believe drug products are made, stored, sold or offered for sale, and open any cask, jar, bottle or package containing, or supposed to contain any drug product, and take therefrom samples for analysis. The person making such inspection shall take such sample of such article or product in the presence of at least one witness, and he shall, in the presence of said witness mark or seal such sample and shall tender at the time of taking to the manufacturer or vendor of such product or to the person having the custody of the same the value thereof and a statement in writing for the taking of such sample. The said Dairy and Food Com-

missioner shall direct said analyst to make due and careful examination of such sample and report to him the result of such analysis and if the same is found to be adulterated or misbranded within the provisions of this act it shall be the duty of said commissioner, his deputy or any drug inspector assigned to such duty to make complaint against the manufacturer or vendor thereof in the proper county and furnish all evidence thereof to obtain a conviction of the offense charged, and in no case shall the Dairy and Food Commissioner or drug inspector making such complaint be required to furnish security for costs in any action instituted by him having for its object the enforcement of this act: Provided, Nothing herein contained shall be held to prohibit or prevent other inspectors or chemists connected with the office of the Dairy and Food Commissioner from performing any of the duties herein imposed upon the said drug inspectors and analyst, whenever in the opinion of said Dairy and Food Commissioner the work of his office can be expedited thereby.

159. (C. L., 6527) SEC. 7. In construing and enforcing the provisions of this act, the act, omission or failure of any officer, agent or other person acting for or employed by any corporation, company, society or association within the scope of his employment or office, shall, in every case, be also deemed by the act, omission or failure of such corporation, company, society or association, as well as that of the person: Provided, That no dealer shall be prosecuted under the provisions of this act when he can establish a guaranty in accordance with the provisions of the national food and drug act, June thirtieth, nineteen hundred six, or a guaranty signed by the wholesaler, jobber, manufacturer or other parties residing in this State, from whom he purchased such article, to the effect that the same is not adulterated nor misbranded within the meaning of this act. Said guaranty to afford protection shall contain the name and address of the party or parties making the sale of such article to such dealer, and in such case, if such guaranty was given in this State, said party or parties shall be amenable to the prosecution, fines and other penalties which would attach in due course to the dealer under the provisions of this act: Provided, however, That said guaranty shall not afford protection to the vendor in any case if said product is adulterated or misbranded within the meaning of this act, and if said vendor shall have been previously notified in writing by the Dairy and Food Commissioner to that effect: Provided further, That in no case shall the Dairy and Food Commissioner serve such notice upon any vendor of any such product of the findings of the State Analyst with reference to such product; such notification to such manufacturer or jobber shall be in writing and shall be mailed ten days previous to any notice sent to any vendor in accordance with this section.

160. (C. L., 6528) SEC. 8. Nothing in this act shall affect any drug product manufactured in this State for export to any foreign country or for sale in any other state, when such drug product is not adulterated or misbranded within the meaning of the laws of such foreign country or state; but if said article shall be in fact sold or offered for sale for use or consumption within this State, then such article shall not be exempt from the operation of any of the provisions of this act.

161. (C. L., 6529) SEC. 9. It shall be the duty of each prosecuting attorney, when called upon by the said Dairy and Food Commissioner,

or by any person by him authorized as aforesaid, to render any legal assistance in his power in proceedings under the provisions of this act or any subsequent act relative to the adulteration or misbranding of drug products.

162. (C. L., 6530) SEC. 10. Whoever shall do any of the acts or things prohibited, or wilfully neglect or refuse to do any of the acts or things enjoined by this act, or in any way violate any of its provisions, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than twenty-five nor more than five hundred dollars, or by imprisonment in the county jail for a period of not more than ninety days, or by both fine and imprisonment in the discretion of the court.

163. (C. L., 6531) SEC. 11. The sum of six thousand dollars is hereby appropriated for the fiscal year ending June thirtieth, nineteen hundred eleven, and for each fiscal year thereafter there is hereby appropriated the sum of six thousand dollars. Out of the amounts appropriated by this act shall be paid all salaries and expenses provided for herein.

TURPENTINE.

(Act No. 175, Public Acts, 1911.)

AN ACT regulating the sale of turpentine and providing penalties for the violation of this act.

The People of the State of Michigan enact:

164. (C. L., 6328) SECTION 1. No person, firm or corporation shall manufacture, mix for sale, sell or offer for sale for other than medical purposes, under the name of turpentine or under a name composed of a part or parts of the word turpentine, or spirits of turpentine, any article which is not wholly distilled from resin, turpentine gum or scrape from pine trees and unmixed and adulterated with oil, benzine or other foreign substance of any kind whatsoever, unless the package containing the same shall be stenciled or marked with letters not less than one inch square and one-fourth inch apart "adulterated turpentine" except turpentine produced from turpentine gum extracted wholly from pine wood, which turpentine is known as "wood turpentine" must be stenciled or marked "wood turpentine" with letters not less than one inch square and one-fourth inch apart. When such wood turpentine is mixed and adulterated with oil, benzine or other foreign substance of any kind whatsoever, the container shall be stenciled or marked "adulterated wood turpentine" with letters not less than one inch square and one-fourth inch apart. When wood turpentine is mixed with turpentine distilled from resin, turpentine gum, or scrape from pine trees, in any quantity whatsoever, the container shall be stenciled or marked "wood turpentine" with letters not less than one inch square and one-fourth inch apart: Provided, That if the contents of the package be less than twenty-five

gallons, the type shall not be less than two lines pica in size. Nothing herein contained shall be construed to prohibit the manufacture or sale of any compound or imitation providing the container shall be plainly marked and the purchaser notified as aforesaid.

[Am. by Act No. 372, P. A. 1913.]

165. (C. L., 6329) SEC. 2. The Dairy and Food Commissioner of Michigan shall enforce the provisions of this chapter and the penal statutes relating thereto, and such commissioner, his assistants, experts, chemists and agents shall have access and ingress to the places of business, stores and buildings used for the sale of turpentine, and may open any package, can or jar or other receptacle containing any turpentine that may be manufactured, sold or offered for sale in violation of this statute. The inspectors, assistants or chemists appointed by such commissioner shall perform like duties and have like authority under this chapter and the penal statutes relating thereto as is provided by law in other cases. Such commissioner shall publish bulletins from time to time giving the results of the inspections and analyses with such information as he deems suitable.

166. (C. L., 6330) SEC. 3. Whosoever violates any provision of law relating to the labeling, marking or stenciling of turpentine or wood turpentine manufacturers or distributors thereof, shall be fined not more than fifty dollars for the first offense, and for each subsequent offense shall be fined not less than fifty dollars nor more than one hundred dollars, or imprisoned not less than thirty days nor more than one hundred days or both.

BABCOCK TEST.

(Act No 280, Public Acts, 1907.)

AN ACT to regulate the sampling and testing of milk and cream and the use of the Babcock test and to make the violation of any provision hereof a misdemeanor.

The People of the State of Michigan enact:

167. (C. L., 6426) SECTION 1. In taking samples of milk or cream from any milk can, cream can or any container of milk or cream, the contents of such milk can, cream can, or container of milk and cream shall first be thoroughly mixed either by stirring or otherwise and the sample shall be taken immediately after mixing, or by any other method which gives a representative average sample of the contents, and it is hereby made a misdemeanor to take samples by any method which does not give a representative average sample where milk or cream is bought or sold, and where the value of said milk or cream is determined by the butter fat contained in the same by the Babcock test.

168. (C. L., 6427) SEC. 2. In the use of the Babcock test the term

"standard Babcock testing glassware" shall apply to glassware complying with the following specifications:

(a) Standard Milk Test Bottles.

Graduation.—The total per cent graduation shall be eight per cent. The graduated portion of the neck shall have a length of not less than sixty-three five-tenths millimeters (two and one-half inches). The graduation shall represent whole per cent, five-tenths per cent, and tenths per cent. The tenth per cent graduations shall not be less than three millimeters in length; the five-tenths per cent graduations shall be one millimeter longer than the tenths per cent graduations, projecting one millimeter to the left; the whole per cent graduations shall extend at least one-half way around the neck to the right and projecting two millimeters to the left of the tenths per cent graduation. Each per cent graduation shall be numbered, the number being placed on the left of the scale. The arrow at any point of the scale shall not exceed one-tenth per cent.

Neck.—The neck shall be cylindrical and the cylindrical shape shall extend for at least nine millimeters below the lowest and above the highest graduation mark. The top of the neck shall be flared to a diameter of not less than ten millimeters.

Bulb.—The capacity of the bulb up to the junction of the neck shall not be less than forty-five cubic centimeters. The shape of the bulb may be either cylindrical or conical with the smallest diameter at the bottom. If cylindrical, the outside diameter shall be between thirty-four and thirty-six millimeters; if conical, the outside diameter of the base shall be between thirty-one and thirty-three millimeters, and the maximum diameter between thirty-five and thirty-seven millimeters.

The charge of the bottle shall be eighteen grams.

The total height of the bottle shall be between one hundred fifty and one hundred sixty-five millimeters (five and seven-eighths and six and one-half inches).

(b) Standard Cream Test Bottles.

Two types of bottles shall be accepted as standard cream test bottles, a fifty per cent nine gram short-neck bottle and a fifty per cent nine gram long-neck bottle.

Fifty per cent nine gram short-neck bottles. Graduation.—The total per cent graduation shall be fifty. The graduated portion of the neck shall have a length of not less than sixty-three five-tenths millimeters (two and one-half inches). The graduation shall represent five per cent, one per cent and five-tenths per cent. The five per cent graduations shall extend at least one-half way around the neck of the bottle (to the right). The five per cent graduations shall have a length intermediate between the five per cent and the five-tenths per cent graduations. Each five per cent graduation shall be numbered, the number being placed on the left of the scale. The arrow at any point of the scale shall not exceed five-tenths per cent.

Neck.—The neck shall be cylindrical and the cylindrical shape shall extend at least nine millimeters below the lowest and nine millimeters above the highest graduation mark. The top of the neck shall be flared to a diameter of not less than ten millimeters.

Bulb.—The capacity of the bulb up to the junction of the neck shall

not be less than forty-five cubic centimeters. The shape of the bulb may be either cylindrical or conical with the smallest diameter at the bottom. If cylindrical, the outside diameter of the base shall be between thirty-one and thirty-three millimeters and the maximum diameter between thirty-five and thirty-seven millimeters.

The charge of the bottle shall be nine grams. All bottles shall bear on top of the neck above the graduations, in plainly legible characters, a mark defining the weight of the charge to be used (nine grams).

The total height of the bottle shall be one hundred fifty and one hundred sixty-five millimeters (five and seven-eighths and six and one-half inches) same as standard milk test bottles.

Fifty per cent nine gram long-neck bottles.—The same specifications in every detail as specified for the fifty per cent nine gram short-neck bottles shall apply for the long-neck bottle with the exception, however, that the total height of this bottle shall be between two hundred ten and two hundred thirty-five millimeters (eight and one-half and eight and seven-eighths inches) and that the total length of the graduation shall be not less than one hundred twenty millimeters.

The Standard Babcock Pipette.

Total length of pipette shall be not more than three hundred thirty millimeters (thirteen and one-fourth inches). Outside diameter of suction tube six to eight millimeters. Length of suction tube one hundred twenty millimeters. Outside diameter tube one hundred to one hundred twenty millimeters. Distance of graduation mark above bulb thirty to sixty millimeters. Nozzle straight. Delivery seventeen six-tenths cubic centimeters of water at twenty degrees C. in five to eight seconds.

All butter-fat and cream scales used for the purpose of determining the value or per cent of butter-fat content of milk or cream by the Babcock test shall be subject to the following specifications:

1. The scales shall be provided with a graduated face of at least ten divisions over which the pointer shall play.

2. The pointer must reach to the graduated divisions and shall terminate in a fine point to enable the readings to be made clearly and distinctly.

3. The clear interval between the divisions on the graduated face shall not be less than five one-hundredths inch.

4. All scales whose weight indications are changed by an amount greater than one-half the tolerance allowed, when set in any position on a surface making an angle of three degrees or approximately five per cent with the horizontal, shall be equipped with leveling screws and a device which shall indicate when the scale is level: Provided, however, That the scale shall be rebalanced at zero each time its position is altered during the test.

5. The addition of one-half grain to the scale when loaded to capacity shall cause a movement of the pointer at least equal to one division on the graduated face.

6. The sensibility reciprocal and tolerance of cream test and butter-fat test scales shall be one half-grain (thirty milligrams). Every person, firm, company, association, corporation or agent thereof buying and paying for milk or cream on the basis of the amount of butter-fat contained therein as determined by the Babcock test shall use standard

Babcock test bottles, pipettes and accurate weights and scales as defined in this act.

[Am. by Act No. 266, 1915.]

169. (C. L., 6428) SEC. 3. It shall be unlawful for the owner, manager, agent or any employe of a cheese factory, creamery, condensed milk factory or milk depot or other place where milk or cream is tested for quality or value to falsely manipulate or under-read or over-read the Babcock test, or make settlements on any other basis than the correct reading of the Babcock test or any other contrivance used for determining the quality or value of milk or cream where the value of said milk or cream is determined by the per cent of butter fat contained in the same or to make any false determination by the Babcock test or otherwise.

170. (C. L., 6429) SEC. 4. Whoever shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than ten dollars nor more than fifty dollars for each and every offense or be imprisoned in the county jail not less than ten days nor more than thirty days.

SAUSAGE.

(Act No. 151, Public Acts, 1913.)

AN ACT providing for the protection of the public health and the prevention of fraud and deception, by prohibiting the sale, the offering for sale or exposing for sale or the having in possession with intent to sell, of adulterated or deleterious sausage; defining sausage; and prescribing the penalty for the violation hereof.

The People of the State of Michigan enact:

171. (C. L., 6509) SECTION 1. It shall be unlawful for any person or persons, by himself, herself or themselves, or by his, her or their agents, servants or employes, to sell, offer for sale, expose for sale, or have in possession with intent to sell, sausage that is adulterated within the meaning of this act. Sausage when used in this act shall be deemed to include Bologna, Weine-wurst and Frankforts.

172. (C. L., 6510) SEC. 2. For the purpose of this act, sausage or sausage meat shall be held to be a comminuted meat from meat cattle or swine, or a mixture of such meats, either fresh, salted, pickled or smoked, with added salt and spices, and with or without the addition of edible animal fat, blood and sugar, or subsequent smoking. It shall contain no larger amount of water than the meats from which it is prepared contain when in their fresh condition.

173. (C. L., 6511) SEC. 3. For the purpose of this act, sausage shall be deemed to be adulterated:

First, If it contains added water in excess of the quantity required to bring the amount up to that which the meats from which it is prepared contain immediately after slaughter;

Second, If it contains any cereal or vegetable flour;

Third, If it contains any coal-tar dye, boric acid or borates, sulphites, sulphur dioxide, sulphurous acid, or any other substances injurious or deleterious to health;

Fourth, If it contains any diseased, contaminated, filthy or decomposed substance; or is manufactured, in whole or in part, from a diseased, contaminated, filthy or decomposed substance, or a substance produced, stored, transported or kept in a way or manner that would render the article diseased, contaminated or unwholesome; or if it is any product of a diseased animal, or the product of any animal which has died otherwise than by slaughter. Nothing in this act shall be construed as prohibiting the sale of sausage which when properly labeled shall conform to the following standard: Sausage shall not contain cereal in excess of two per cent. When cereal is added its presence shall be noted on the label or on the product. That water or ice shall not be added to it except for the purpose of facilitating grinding, chopping and mixing, in which case the added water or ice shall not exceed three per cent except as provided in the following paragraph. Sausages of the class which are cooked or smoked, such as Frankfort style, Vienna style and Bolonga style, may contain added water in excess of three per cent, but not in excess of amount sufficient to make the sausage palatable. When water in excess of three per cent is added to this class of sausage, the statement "Sausage, water and cereal" shall appear on the label or on the product, but when no cereal is added, the addition of water need not be stated.

174. (C. L., 6512) SEC. 4. Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars, nor more than two hundred dollars, or to undergo an imprisonment of not less than thirty days, nor more than sixty days, or both or either, in the discretion of the court.

175. (C. L., 6513) SEC. 5. The Dairy and Food Commissioner shall be charged with the enforcement of the provisions of this act.

WEIGHTS AND MEASURES.

(Act No. 168, Public Acts, 1913.)

AN ACT to provide for a State Superintendent of weights and measures, State, county and city sealers and inspection of weights and measures, prescribing their powers and duties, providing penalties for fraud and deception in the use of false weights and measures and confiscation thereof, and repealing sections four thousand eight hundred eighty-two to four thousand eight hundred ninety-seven inclusive to the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

176. (C. L., 6234) SECTION 1. The weights and measures received from the United States under a resolution of congress approved June

fourteen, eighteen hundred thirty-six and such new weights and measures as shall be received from the United States as standard weights and measures in addition thereto or in renewal thereof, and such as shall be supplied by the State in conformity therewith and certified by the national bureau of standards, shall be the State standards, by which all county and municipal standards of weights and measures shall be tried, proved and sealed.

177. (C. L., 6235) SEC. 2. The State Dairy and Food Commissioner by virtue of his office shall be State superintendent of weights and measures during his term of office. His deputy shall be deputy superintendent of weights and measures and all inspectors appointed by the Dairy and Food Commissioner shall be State inspectors and sealers of weights and measures.

178. (C. L., 6236) SEC. 3. The superintendent of weights and measures shall take charge of the standards adopted by this article as the standards of the State, and cause them to be kept in a safe and suitable place in the office of the superintendent from which they shall not be removed except for repairs or for certification and he shall take all other necessary precautions for their safe keeping. He shall maintain the State standards in good order and shall submit them at least once in ten years to the national bureau of standards for certification. He shall at least once in every five years try and prove by the State standards all weights, measures and other apparatus which may belong to any county or city, and shall seal such when found to be accurate stamping on them the letter "C" and the last two figures of the year with the seals which he shall have and keep for that purpose. He shall have and keep a general supervision of the weights, measures and weighing and measuring devices offered for sale, sold, or in use in the State. He shall, upon the written request of any citizen, firm, corporation or educational institution in the State test or calibrate weights, measures, weighing or measuring devices, and instruments or apparatus used as standards in the State. He, or his deputy, or inspectors, by his direction, shall at least once annually test all scales, weights and measures used in checking the receipts and disbursements of supplies in every institution for the maintenance of which moneys are appropriated by the legislature, and he shall report in writing his finding to the supervisory board and to the executive officer of the institution concerned, and at the request of such board or executive officer the superintendent of weights and measures shall appoint in writing one or more employes then in the actual service of each institution, who shall act as special deputies without extra compensation for the purpose of checking the receipts and disbursements of supplies. He shall keep a complete record of standards, balances and other apparatus belonging to the State and take a receipt for same from his successor in office. He shall annually on the first day of July make to the governor a report of the work done by his office. The State superintendent or his deputy, or inspectors, at his direction, shall inspect all standards and apparatus used by the counties and cities at least once in five years and shall keep a record of the same. He, or his deputy, or inspectors, at his direction, shall at least once in five years visit the various cities and counties of the State in order to inspect the work of the local sealers, and in the performance of such duties, he may inspect the

weights, measures, balances, or any other weighing appliance of any citizen, firm, or corporation, and shall have the same power as the local sealer of weights and measures. The superintendent shall issue from time to time, regulations for the guidance of city and county sealers, and the said regulations shall govern the procedure to be followed by the aforesaid officers in the discharge of their duties.

179. (C. L., 6237) SEC. 4. The board of supervisors of each county and the commissioner or common council of each city who may in their discretion appoint a sealer under this act, shall procure at the expense of the county or city, and shall keep at all times, a complete set of weights and measures and other apparatus of such material and constructions as said superintendent of weights and measures may direct. All such weights, measures, and other apparatus having been tried and accurately proven by him, shall be sealed and certified to by the State superintendent as hereinbefore provided; and shall be then deposited with and preserved by the county or city sealer as public standards for such county or city.

180. (C. L., 6238) SEC. 5. The board of supervisors of each county may in its discretion appoint a county sealer of weights and measures in each county for a term of two years. He shall be paid a salary to be determined by said board, and no fee shall be charged by him or by the county for the inspection, testing, or sealing of weights, measures or weighing or measuring devices; where not otherwise provided by law, the county sealer shall have the power within his county, and the State superintendent, his deputies and inspectors, within the State, to inspect, test, try, and ascertain if they are correct, all weights, scales, beams, measures of every kind, instruments or mechanical devices for measuring and tools, appliances and accessories connected with any and all such instruments or measures kept, offered, or exposed for sale, sold or used or employed within the county by any proprietor, agent, lessee, or employe in proving the size, quantity, extent, area, or measurement of quantities, things, produce, articles for distribution or consumption offered or submitted by such person or persons for sale, hire, or award; and they shall have the power to and shall from time to time weigh or measure packages or amounts of commodities of whatsoever kind kept for the purpose of sale, offered for sale, or sold or in the process of delivery, in order to determine whether the same contains the amount represented, and whether they be offered for sale or sold in a manner in accordance with law. The county sealer shall at least once each year, and as much oftener as he may deem necessary, see that the weights, measures, and all apparatus used in the county are correct. The county and State inspectors may for the purpose above mentioned and in the general performance of their official duties enter or go in upon, and without formal warrant, any stand, place, building, or premises, or stop any vendor, peddler, junk dealer, coal wagon, ice wagon, delivery wagon, or any dealer whatsoever and require him, if necessary, to proceed to some place which the sealer may specify, for the purpose of making the proper tests. Whenever the county sealer or State inspectors find a violation of the statute relating to weights and measures, they shall cause the violator to be prosecuted. Whenever any sealer or inspector compares the weights, measures, or weighing and measuring instruments and finds

that they correspond, or causes them to correspond, with the standards in his possession, he shall seal or mark such weights, measures, or weighing or measuring instruments with appropriate devices to be approved by the State superintendent of weights and measures. The county sealer shall keep a complete record of all his official acts and shall make an annual report to the board of supervisors and an annual report duly sworn to on the first day of July to the State superintendent of weights and measures on blanks to be furnished by the superintendent. The county sealer of weights and measures shall forthwith on his appointment give a bond in the penal sum of one thousand dollars with sureties to be approved by the appointing power for the faithful performance of the duties of his office: Provided, however, That nothing in the above shall be construed to prevent two or more counties from combining the whole or any part of their districts as may be agreed upon by the board of supervisors with one set of standards and one sealer, upon the written consent of the State superintendent of weights and measures. A county sealer appointed in pursuance of such an agreement for such combination, shall, subject to the terms of his appointment, have the same authority, jurisdiction, and duties as if he had been appointed by each of the authorities who are party to the agreement.

181. (C. L., 6239) SEC. 6. Any incorporated city in this State may in its discretion appoint a city sealer of weights and measures under this act. He shall be appointed by the mayor, by and with the advice and consent of the common council. He shall perform in said city the duties and have like powers as the county sealer in the county. In those cities in which no sealer is appointed as above, the county sealer of the county, if there be one, shall perform in said cities the duties and have like powers as in the county: Provided, however, That nothing in the above shall be construed to prevent any county and a city situated therein from combining the whole or any part of their districts as may be agreed upon with one sealer, subject to the written approval of the State superintendent of weights and measures. A sealer appointed in pursuance of an agreement for such combination shall, subject to the terms of his appointment, have the same authority, jurisdiction, and duties as if he had been appointed by each of the authorities who are parties to the agreement.

182. (C. L., 6240) SEC. 7. Any person who by himself or by his servant or agent or as the servant or the agent of another shall offer or expose for sale, sell, or use or retain in his possession, a false weight or measure or weighing or measuring device or any weight or measure or weighing or measuring device which has not been sealed by the sealer of weights and measures within five years, in the buying or selling of any commodity or thing or for hire or reward; or who shall dispose of any condemned weight, measure or weighing or measuring device contrary to law or remove any tags placed thereon by the sealer of weights and measures; or any person who by himself or by his servant or agent, or as the servant or agent of another, shall knowingly sell or offer or expose for sale less than the quantity he represents, or sell or expose for sale any such commodity in a manner contrary to law; or any person who by himself or by his servant or agent, or as to the servant or agent of another, shall sell or offer for sale or have in his possession for the

purpose of selling any device or instrument to be used to, or calculated, to falsify any weight or measure, shall be guilty of a misdemeanor, and shall be punished by a fine of not less than twenty dollars nor more than one hundred dollars or by both imprisonment for not more than three months or by both such fine and imprisonment upon first conviction; but upon a second or subsequent conviction he shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars or by imprisonment in the county jail for not more than one year or by both such fine and imprisonment.

183. (C. L., 6241) SEC. 8. The superintendent of weights and measures, his deputy, inspectors, and the county and city sealers of weights and measures are hereby made special policemen, and are authorized to seize, for use as evidence and without any formal warrant any false or unsealed weight, measure or weighing or measuring device or package or amounts of commodities, found to be used, retained or offered or exposed for sale or sold in violation of law.

184. (C. L., 6242) SEC. 9. Any person who shall hinder or obstruct in any way, the superintendent of weights and measures, his deputy, or inspectors, or any county or city sealer in the performance of his official duties shall be guilty of a misdemeanor, and shall be punished upon conviction thereof, in any court of competent jurisdiction, by a fine of not less than two nor more than two hundred dollars, or by imprisonment in the county jail for not more than ninety days or by both such fine and imprisonment.

185. (C. L., 6243) SEC. 10. Any person who shall impersonate in any way the superintendent of weights and measures, his deputies, inspectors, or any county or city sealer, by use of his seal or otherwise, shall be guilty of a misdemeanor and shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail for not more than ninety days or by both such fine and imprisonment.

186. (C. L., 6244) SEC. 11. Sections four thousand eight hundred eighty-two, four thousand eight hundred eighty-three, four thousand eight hundred eighty-four, four thousand eight hundred eighty-five, four thousand eight hundred eighty-six, four thousand eight hundred eighty-seven, four thousand eight hundred eighty-eight, four thousand eight hundred eighty-nine, four thousand eight hundred ninety, four thousand eight hundred ninety-one, four thousand eight hundred ninety-two, four thousand eight hundred ninety-three, four thousand eight hundred ninety-four, four thousand eight hundred ninety-five, four thousand eight hundred ninety-six and four thousand eight hundred ninety-seven, of the Compiled Laws of eighteen hundred ninety-seven, relative to weights and measures, are hereby repealed.

AN ACT to provide for the weight per bushel, of certain grain, dried fruit, coal, vegetables and products.

(Act No. 223, Public Acts, 1863.)

The People of the State of Michigan enact:

187. (C. L., 6247) SECTION 1. That whenever wheat, rye, shelled corn, corn on the cob, corn meal, oats, buckwheat, beans, cloverseed, timothy seed, flax seed, hemp seed, millet seed, blue grass seed, red top seed, barley, dried apples, dried peaches, potatoes, potatoes (sweet), onions, turnips, peas, cranberries, dried plums, castor beans, salt, mineral coal, Hungarian grass seed, orchard grass seed, osage orange seed, shall be sold by the bushel, and no special agreement as to the measure or weight shall be made by the parties, the measure thereof shall be ascertained by weight and shall be computed as follows, viz.:

Sixty pounds for a bushel of wheat;
Fifty-six pounds for a bushel of rye;
Fifty-six pounds for a bushel of shelled corn;
Seventy pounds for a bushel of corn on the cob;
Fifty pounds for a bushel of corn meal;
Thirty-two pounds for a bushel of oats;
Forty-eight pounds for a bushel of buckwheat;
Sixty pounds for a bushel of beans;
Sixty pounds for a bushel of clover seed;
Forty-five pounds for a bushel of timothy seed;
Fifty-six pounds for a bushel of flax seed;
Forty-four pounds for a bushel of hemp seed;
Fifty pounds for a bushel of millet or Hungarian grass seed;
Fourteen pounds for a bushel of blue grass seed;
Fourteen pounds for a bushel of red top seed;
Forty-eight pounds for a bushel of barley;
Twenty-two pound for a bushel of dried apples;
Twenty-eight pounds for a bushel of dried peaches;
Sixty pounds for a bushel of potatoes;
Fifty-six pounds for a bushel of sweet potatoes;
Fifty-four pounds for a bushel of onions;
Fifty-eight pounds for a bushel of turnips;
Sixty pounds for a bushel of peas;
Forty pounds for a bushel of cranberries;
Twenty-eight pounds for a bushel of dried plums;
Forty-six pounds for a bushel of castor beans;
Fifty-six pounds for a bushel of Michigan salt;
Eighty pounds for a bushel of mineral coal;
Fourteen pounds for a bushel of orchard grass seed;
Thirty-three pounds for a bushel of osage orange seed.

UNLAWFUL DISCRIMINATION.

(Act No. 103, Public Acts, 1913.)

AN ACT to prevent unlawful discrimination in the purchase of poultry, eggs, milk, cream and butter-fat, and to provide punishment for the same.

The People of the State of Michigan enact:

188. SECTION 1. Any person, firm, copartnership or corporation engaged in the business of buying poultry, eggs, milk, cream or butter-fat for the purpose of manufacture, who shall with the intention of creating a monopoly or destroying the business of a competitor, discriminate between different sections, localities, communities or cities of this State by purchasing such commodity at a higher price or rate in one locality than is paid for the same commodity by said person, firm, copartnership or corporation in any other locality, after making due allowance for the difference, if any, of the actual cost of transportation from the locality of purchase to the locality of manufacture, shall be deemed guilty of unfair discrimination, and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars or by imprisonment in the county jail not to exceed six months.

COMMISSION MERCHANTS.

(Act No. 184, Public Acts, 1913.)

AN ACT to regulate the business of selling farm products on commission, providing all commission merchants dealing in farm products shall be licensed, to provide against and punish fraud and deception in the sale of farm products on commission, and defining the duties of the State Dairy and Food Commissioner relative thereto.

The People of the State of Michigan enact:

189. (C. L., 7010) SECTION 1. As used in this article:

1. The term "commission merchant" shall include every person, firm, association and corporation, licensed under this article to receive, sell or offer for sale on commission within this State any kind of farm produce.

2. The term "farm produce" shall include all agricultural, horticultural, vegetable and fruit products of the soil, and meats, poultry, eggs, dairy products, nuts and honey, but shall not include timber products.

190. (C. L., 7011) SEC. 2. On and after October first, nineteen hundred thirteen, no person, firm, association or corporation, whose principal place of business shall be located in any city in this State, shall receive, sell or offer for sale on commission within this State any kind of farm

produce, without a license as provided in this article. Every person, firm, association and corporation in this State receiving farm produce for sale on commission shall annually on or before October first, file an application with the State Dairy and Food Commissioner for a license to do a commission business in farm produce. Such application shall state the kind or kinds of produce which the applicant proposes to handle, the full name of the person or corporation applying for such license, and if the applicant be a firm or association, the full name of each member of the firm or association, the city and street number at which the business is to be conducted, and such other facts as the State Dairy and Food Commissioner shall prescribe. Such applicant shall further satisfy the State Dairy and Food Commissioner of his or its character, responsibility and good faith in seeking to carry on a commission business. The State Dairy and Food Commissioner shall thereupon issue to such applicant, on payment of fifteen dollars, in cities of less than twenty thousand population, and twenty-five dollars, in cities of more than twenty thousand population, a license entitling the applicant to conduct the business of receiving and selling farm produce on commission at the place named in the application until the tenth day of October next following. Such license shall not be issued, however, to any applicant if during the preceding year a complaint from any consignor of farm produce for sale on commission shall have been filed with the State Dairy and Food Commissioner against such applicant for any of the grounds specified in section four hereof, and such complaint shall have been established as true and just to the satisfaction of the commissioner after such complaint shall have been investigated by the commissioner in the manner provided by section three of this act.

191. (C. L., 7012) SEC. 3. The commissioner and his assistants shall have power to investigate, upon the complaint of an interested person, or of his own motion, the record of any person, firm or corporation applying for a license, or any transaction involving the solicitation, receipt, transportation, sale or attempted sale of farm produce on a commission basis, including the making of charges in selling, carting, or other services, the failure to make proper and true accounts and settlements at prompt and regular intervals, the making of false statements as to condition, quality or quantity of goods received or while in storage, the making of false statements as to market conditions, or the failure to make payment for goods received or other alleged injurious transactions; and for such purpose may examine the ledgers, books of account, memoranda or other documents of any commission merchant and may take testimony therein under oath; but information relating to the general business of any such person, contained in such investigation and not relating to the immediate purpose thereof shall be deemed of a confidential nature by the commissioner, his assistants and employees. When a complaint is filed with the commissioner, he shall attempt to secure an explanation or adjustment; failing this, within ten days he shall cause a copy thereof, together with a notice of a time and place for a hearing on such complaint, to be served personally, or by mail, upon such commission merchants. If served by mail such complaint and notice shall be directed to such commission merchant at his place of business and the postage prepaid thereon. Such service shall be made at least seven days before the hearing. At the time

and place appointed for such hearing, which shall be within the county where the commission merchant is licensed to do business, the commissioner or his assistants shall hear the parties to such complaint, shall have power to administer an oath, and shall enter in the office of the State Dairy and Food Commissioner a decision either dismissing such complaint or specifying the fact which he deemed established on such hearing.

192. (C. L., 7013) SEC. 4. The State Dairy and Food Commissioner may decline to grant a license or may revoke a license already granted, where he is satisfied of the existence of the following cases or either of them:

1. Where false charges have been imposed for handling or services, or charges other than as by a schedule agreed on by the parties, or other than those customary in the trade;
2. Where there has been a failure to account promptly and properly or to make settlements with intent to defraud;
3. Where there have been false statements as to condition, quality or quantity of goods received or held for sale on commission;
4. Where there have been false or misleading statements as to market conditions with intent to deceive;
5. Where there have been combinations to fix prices below the market level;
6. Where there has been a continual course of dealings of such nature as to satisfy the commissioner of inability of the commission merchant to properly conduct the business, or of an intent to deceive or defraud customers;
7. Where the commission merchant directly or indirectly purchases the goods for his own account without prior authority therefor, or without notifying the consignor thereof.

193. (C. L., 7014) SEC. 5. The action of the commissioner in refusing to grant a license, or in revoking a license granted under this act, shall be subject to review by a writ of certiorari, and if such proceedings are begun; until the final determination of certiorari proceedings and all appeals therefrom, the license of such commission merchant shall be deemed to be in full force and effect, or if such license shall have been refused, such commission merchant shall not be deemed to have violated the provisions of this act, prohibiting the transaction of such business without a license, provided the fee for such license shall have been paid.

194. (C. L., 7015) SEC. 6. The Dairy and Food Commissioner shall publish in pamphlet form as often as he thinks necessary, a list of all the licensed commission merchants.

195. (C. L., 7016) SEC. 7. The funds received for the license issued under section two of this act shall be paid into the State treasury for the use and benefit of the State dairy and food department.

196. (C. L., 7017) SEC. 8. If any shipper of farm produce to a commission merchant be dissatisfied with any statement relative to the sale of such shipment, he may apply to the State Dairy and Food Commissioner, in writing, within sixty days of making such shipment, for an investigation. The State Dairy and Food Commissioner shall treat such application as a complaint, and shall cause a full investigation of the transaction complained of to be made either by himself, or one of his assistants in the manner provided by section five of this act.

197. (C. L., 7018) SEC. 9. Any person, who being a commission merchant in farm produce, shall (a) impose false charges for handling or services in connection with food products, or (b) fail to account for such food products, promptly and properly and to make settlements therefor with intent to defraud, or (c) shall make false or misleading statement or statements as to the market conditions with intent to deceive, or (d) enter into any combination to fix prices below market level, (e) directly or indirectly purchase for his or its own account, goods received by him upon consignment without prior authority therefor from the consignor, or shall fail to promptly notify the consignor of such purchase on his own account, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty dollars, nor more than five hundred dollars, and the cost of prosecution, or by imprisonment in the county jail or State House of Correction and Reformatory at Ionia, for not less than six months nor more than three years, or by such fine and imprisonment in the discretion of the court in each and every offense.

198. (C. L., 7019) SEC. 10. Nothing in this act shall apply to retail dealers, real estate dealers or auctioneers selling farm products on commission.

199. (C. L., 7020) SEC. 11. Any commission merchant of farm produce, as defined in sections one and two of this act, who shall fail to take out a license as required by this act, shall be deemed guilty of a misdemeanor, and for each and every offense of selling farm produce on commission without such license, shall be punished by a fine of not more than one hundred dollars, and the costs of prosecution, or by imprisonment in the county jail for not more than thirty days, or both in the discretion of the court, and the fact that any person advertises and holds himself out as a commission merchant of farm produce, shall be prima facie evidence of the fact that he is a commission merchant of farm products as defined by this act.

[Added by Act No. 18, P. A. 1915.]

UNWHOLESOME VEAL.

(Act No. 340, Public Acts, 1913.)

AN ACT to prevent and punish the sale of immature and unwholesome calves and veal.

The People of the State of Michigan enact:

200. (C. L., 6514) SECTION 1. No person shall for the purpose of selling, kill a calf less than four weeks old, and no person shall sell the meat of any such calf or have the same in his possession with intent to sell the same either by himself, his agents, or servants.

201. (C. L., 6515) SEC. 2. Whoever shall do any of the acts or things prohibited by this act, or in any way violate any of its provisions, shall

be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars, and the costs of the prosecution, or by imprisonment in the county jail not more than ninety days, or by both such fine and imprisonment in the discretion of the court.

202. (C. L., 6516) SEC. 3. This act is immediately necessary for the public health.

UNWHOLESOME FOOD FOR ANIMALS.

(Act No. 179, Public Acts, 1913.)

AN ACT to regulate, prevent and punish the feeding of the flesh of old, decrepit, infirm, sick or diseased animals and unwholesome offal to animals or fowls, and provide a penalty for the violation thereof.

The People of the State of Michigan enact:

203. SECTION 1. No person shall feed to animals or fowls the flesh of an animal which has become old, decrepit, infirm or sick, or which has died from such cause, or offal or flesh that is putrid or unwholesome.

204. SEC. 2. Whoever shall do any of the acts or things prohibited by this act, or in any way violates any of its provisions, shall be deemed guilty of a misdemeanor, and shall be punished by a fine of not more than one hundred dollars and the costs of prosecution, or by imprisonment in the county jail not more than ninety days, or by both such fine and imprisonment in the discretion of the court.

205. SEC. 3. This act is immediately necessary for the preservation of the public health.

CERTIFIED MILK.

(Act No. 248, Public Acts, 1911.)

AN ACT providing for the incorporation of medical milk commissions, and certification of milk produced under their supervision.

The People of the State of Michigan enact:

206. (C. L., 5149) SECTION 1. Authority is hereby given the board of health of any city, village or township in this State, so constituted as to have in its membership two or more physicians duly authorized to practice medicine under the laws of this State, to appoint five physicians duly authorized to practice medicine under the laws of this State a medical milk commission for the purpose of supervising the production, transportation and delivery of milk, which it is intended to use for infant

feeding, sick-room clinical purposes in said city, village or township. In cities, villages or townships not having a board of health so constituted as above stated, the State Board of Health may make such appointment. All members of such milk commission shall have and possess all the powers and immunities provided by this act or any other act relating to the appointees of such board of health, while performing their duties as such appointees. One member of such commission shall be appointed and hold office from the time of such appointment until the end of the thirty-first of December, nineteen hundred eleven, one shall be appointed and hold office until the end of the thirty-first of December, nineteen hundred twelve, one shall be appointed and hold office until the end of the thirty-first of December, nineteen hundred thirteen, and one shall be appointed and hold office until the end of the thirty-first of December, nineteen hundred fourteen, and one shall be appointed and hold office until the end of the thirty-first day of December, nineteen hundred fifteen, and until their several successors are appointed and qualified. The term of office of each member of the commission, after the termination of the aforesaid terms shall be five years, and on the expiration of any term a new appointment shall be made in the same manner above prescribed. No more than one milk commission shall be appointed for any one city, village, or township. Any and all members of such commission may be removed at any time by the board which appointed them. Such medical milk commission shall make and file a certificate in writing in the manner hereinafter mentioned.

207. (C. L., 5150) SEC. 2. Such certificates shall set forth:

The name of such association, which shall be as hereinafter designated;
The purpose for which the association shall be formed;

The names and residences of the medical directors who shall manage the affairs of the association for the first year of its existence;

The city, village or township in this State where such association shall operate.

[Am. by Act No. 196, P. A. 1913.]

208. (C. L., 5151) SEC. 3. Such certificate shall be executed in triplicate and acknowledged before some person within this State authorized to take the acknowledgment of deeds, and one copy thereof shall be filed in the office of the clerk of the county where the purposes of such association are to be carried out and one copy shall be filed in the office of the Secretary of State; said certificate or copy thereof duly certified by the said clerk or Secretary of State shall be evidence in all courts or places.

209. (C. L., 5152) SEC. 4. The name of such association shall be "The Medical Milk Commission of the (stating whether city, village or township) of (designating the name of city, village or township) (designate the name of the county) County of Michigan."

[Am. by Act No. 196, P. A. 1913.]

210. (C. L., 5153) SEC. 5. Such medical directors shall have the power from time to time to make, alter or amend by-laws not inconsistent with the constitution and laws of the United States and of this State,

and to appoint such agents and officers as shall in their judgment tend to promote or advance any purpose or purposes of such commission, and to prescribe their respective duties; and for the regulating of the conditions under which milk shall be produced by any dairyman or dairymen under contract with such commission.

211. (C. L., 5154) SEC. 6. No medical director of any association organized under this act shall receive, directly or indirectly, from such association or dairyman, or dairymen producing milk under agreement with such commission, any salary or emolument or any compensation of any kind or character for any services rendered under the provisions of this act, and any medical director who shall receive any salary, emolument or any compensation of any kind or character for such services, shall be liable to a penalty of one hundred dollars to be recovered in an action of debt by the association of which he is a member, and in addition thereto shall be removed from his office as a member of said association, and thereafter disqualified from becoming a member of any association incorporated under the provisions of this act.

212. (C. L., 5155) SEC. 7. Every such association shall have the power to enter into agreement in writing with any dairyman or dairymen for the production of milk under the supervision of such association for the purposes enumerated in section one hereof, and to prescribe in such agreement the conditions under which such milk shall be produced, which conditions however, shall not be below the standards of purity and quality for certified milk as fixed by the American association of medical milk commissions, and the standards for milk now fixed or that may hereafter be fixed by the Board of Health of the State of Michigan. In any contract entered into by any such commission with any dairyman or dairymen, it may be provided that such medical milk commission may designate any analyst, chemist, bacteriologist, veterinarians, medical inspectors or other persons who in its judgment may be necessary for the proper carrying out of the purposes of such commission for employment of such dairyman or dairymen, and to prescribe and define their powers and duties, and that such persons so employed by such dairyman or dairymen may be discharged from employment whenever such medical milk commission may request such discharge or removal in writing.

213. (C. L., 5156) SEC. 8. All containers of any kind or character used in the carrying or distribution of milk produced by any dairyman or dairymen under contract with any medical milk commission shall have attached thereto or placed thereon a certificate or seal bearing the name of the medical milk commission with such dairyman or dairymen producing such milk shall be under contract, which certificate shall have printed, stamped or written thereon the day or date of the production of the milk contained in any such container and the words "certified milk" in plain and legible form.

214. (C. L., 5157) SEC. 9. The work and methods of any milk commission organized under this act and of the dairies of which milk is produced under contract with any such commission, shall at all times be subject to investigation and scrutiny by the local board of health and the Board of Health of the State of Michigan. The Secretary of said State Board of Health and the local health officer shall be ex officio members of every milk commission organized under this act.

215. (C. L., 5158) SEC. 10. No person, firm or corporation shall sell or exchange or offer or expose for sale or exchange in any city, village or township as and for certified milk, any milk which is not certified by the medical milk commission of that city, village or township, and which is not produced in conformity with the methods and regulation for the production of certified milk from time to time adopted by the American association of medical milk commissions, and which is below the standards of purity and quality for certified milk as fixed by the American association of medical milk commissions.

[Am. by Act No. 196, P. A. 1913.]

216. (C. L., 5159) SEC. 11. Whoever shall by himself, servant or agent sell, exchange or deliver or have in his custody with intent to sell, exchange or deliver, or offer or expose for sale in any city, village or township as certified milk, any milk which has not been certified by the medical milk commission of that city, village or township, or shall violate any of the provisions of this act, shall upon conviction thereof be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars, or by imprisonment in the county jail not more than ninety days, or by both such fine and imprisonment in the discretion of the court.

[Am. by Act No. 196, P. A. 1913.]

217. (C. L., 5160) SEC. 12. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

OLEOMARGARINE IN PUBLIC INSTITUTIONS.

(Act No. 45, Public Acts of 1891.)

AN ACT to prohibit the use of oleomargarine, butterine, or any other substitute for butter in any of the public institutions of this State, and to provide the punishment therefor.

The People of the State of Michigan enact:

218. (C. L., 1958) SECTION 1. That the use of oleomargarine, butterine or any other substitute for butter, in any of the public institutions of this State, be and the same is hereby prohibited, except in the penal institutions of the State.

[Am. by Act 233, P. A. 1913.]

219. (C. L., 1959) SEC. 2. Any warden, superintendent or other officer of any such institution, who shall knowingly violate the provisions of section one of this act, or shall knowingly permit the same to be violated shall be deemed guilty of a misdemeanor and every violation shall constitute a separate offense and on conviction thereof shall be punished

by a fine of not less than twenty-five, nor more than one hundred dollars, together with costs of prosecution, or by imprisonment in the county jail of the county in which said institution is situated, not exceeding ninety days, or both such fine and imprisonment, at the discretion of the court.

MILK BOTTLES.

(Act No. 257, Public Acts of 1911.)

AN ACT to prohibit drivers of milk wagons and unauthorized persons from opening milk bottles, or in any way interfering with or molesting the caps or covers thereof after such bottles shall have been closed at the creamery, and during and after the process of delivery to patrons.

The People of the State of Michigan enact:

220. (C. L., 5164) SEC. 1. From and after the date on which this act takes effect, it shall be unlawful for any driver of any milk wagon, or any distributor of milk, or any person whatsoever, except legally authorized milk inspectors and persons to whom such milk is delivered, to open milk bottles or in any way interfere with or molest the caps or covers of the same after such milk bottles shall have been closed at the creamery, or during the process of the delivery of said milk or, after said milk shall have been delivered in due course of business and in the ordinary manner.

221. (C. L., 5165) SEC. 2. Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof in a court of competent jurisdiction shall be punished by a fine of not less than fifty dollars nor more than one hundred dollars, or by imprisonment in the county jail for not less than thirty days nor more than ninety days, or by both such fine and imprisonment in the discretion of the court.

FRUITS AND VEGETABLES.

(Act No. 207, Public Acts, 1913.)

AN ACT to prevent fraud and deception in the sale of Michigan grown fresh fruits and vegetables, and to provide penalties for violations of this act.

The People of the State of Michigan enact:

222. SECTION 1. In this act, unless the contents otherwise requires, the term "closed package" shall be construed to mean a barrel, box,

basket, carrier or crate, of which all the contents cannot readily be seen or inspected when such package is prepared for market. Fresh fruits or vegetables in baskets or boxes, packed in closed or open crates, and packages covered with burlap, tarlatan or slat covers shall come within the meaning of the term "closed package". None of the provisions of this act shall apply to other than Michigan grown fruits and vegetables.

223. SEC. 2. Every person who, by himself or by his agent or employe, packs or repacks fresh fruits or vegetables in closed packages intended for sale in the open market, shall cause the same to be marked in a plain and indelible manner, as follows:

First, With his full name and address, including the name of the State where such fresh fruits and vegetables are packed, before such fresh fruits or vegetables are removed from the premises of the packer or dealer;

Second, The name and address of such packer or dealer shall be printed or stamped on said closed packages in letters not less than one-quarter inch in height.

224. SEC. 3. No person shall sell or offer, expose or have in his possession for sale, in the open market, any fresh fruits or vegetables packed in a closed package and intended for sale, unless such package is marked as is required by this act.

225. SEC. 4. No person shall sell or offer, expose or have in his possession for sale, any fresh fruits or vegetables packed in a closed or open package, upon which package is marked any designation which represents such fruit as "No 1", "Finest", "Best", "Extra Good", "Fancy", "Selected", "Prime", "Standard", or other superior grade or quality, unless such fruit or vegetables consist of well grown specimens, sound, of nearly uniform size, normal shape, good color, for the variety, and not less than ninety per cent free from injurious or disfiguring bruises, diseases, insect injuries or other defects, natural deterioration and decay in transit or storage excepted.

226. SEC. 5. No person shall sell or offer, expose or have in his possession for sale, any fresh fruits or vegetables packed in any package in which the faced or shown surface gives a false representation of the contents of such package, and it shall be considered a false representation when more than twenty per cent of such fresh fruits or vegetables are substantially smaller in size than or inferior in grade to, or different in variety from, the faced or shown surface of such package, natural deterioration and decay in transit or storage excepted.

227. SEC. 6. Every person who, by himself, his agent or employe, knowingly violates any of the provisions of this act shall for each such offense, be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding ten dollars, or by imprisonment in the county jail for a period not exceeding thirty days, or by both such fine and imprisonment in the discretion of the court.

TABLE GRAPES.

(Act No. 107, Public Acts, 1913.)

AN ACT to regulate the packing for shipment and sale of table grapes, and providing penalties for violation thereof.

The People of the State of Michigan enact:

228. (C. L., 6495) SECTION 1. No grapes that are not ripe, or are the fruit of unhealthy vines, or are for any reason unhealthy or in a state of decay shall be packed for shipment by any grower, packer or shipper in any package or basket of less than sixteen pounds capacity.

229. (C. L., 6496) SEC. 2. Any person or persons found guilty of violating any of the provisions of this act, in any court of competent jurisdiction, shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than ten dollars nor more than one hundred dollars, or by imprisonment in the county jail for not less than ten days nor more than ninety days, or by both such fine and imprisonment in the discretion of the court.

230. (C. L., 6497) SEC. 3. It shall be the duty of the State Dairy and Food Commissioner, his deputies and assistants, to enforce the provisions of this act.

COLLECTION OF REGISTRATION FEES BY CIVIL SUIT.

(Public Act No. 37, Session Laws 1913.)

AN ACT to provide for the collection of registraton, license and other fees due the Dairy and Food Department, by means of a civil suit in the State courts.

The People of the State of Michigan enact:

231. (C. L., 6390) SECTION 1. Whenever any corporation, firm or person engaged as a dealer, manufacturer, storer or transporter of any food or beverage product for man or animal, doing business within the State shall for thirty days after the same becomes due refuse or neglect to pay any registration or license fee which the laws of Michigan require said corporation, firm or person to pay to the State Dairy and Food Department, the State Dairy and Food Commissioner may bring a civil suit in the name of the people of the State of Michigan for the use and benefit of the State Dairy and Food Department for the recovery of said registration or license fee.

232. (C. L., 6391) SEC. 2. Said suit may be commenced in the circuit court for the county of Ingham or in the circuit court of the county

where the principal business office of such defendant corporation, firm or person shall be located and shall be prosecuted in like manner as in civil suits between individuals, and judgment and execution may follow in like manner and costs may be recovered to be taxed as in other civil cases, and all moneys recovered shall be paid into the State treasury for the use and benefit of the State Dairy and Food Department: Provided, That no suit as authorized by this act, shall be commenced until thirty days after the defendant in such suit has been duly notified of his or her delinquency, either personally or by registered letter:

233. (C. L., 6392) SEC. 3. All expenses incurred by the State Dairy and Food Commissioner under this act shall be defrayed by the State Dairy and Food Department out of its annual appropriation.

CARBONATED BEVERAGES, SYRUPS, EXTRACTS AND SOFT DRINKS.

(Act No. 288, Public Acts, 1915.)

AN ACT to regulate the manufacture and sale of carbonated beverages, syrups, extracts and soft drinks within the State and prescribe penalties for violation thereof.

The People of the State of Michigan enact:

234. (C. L., 6438) SECTION 1. No person, firm or corporation shall manufacture and bottle for sale any carbonated beverages, soda water, grape juice, cider, mineral water, or other soft drink within this State, without having first filed with the Dairy and Food Commissioner an application for a license, accompanied with a fee of ten dollars; upon receipt of which application the Dairy and Food Commissioner shall issue to the person, firm or corporation making such application, a license to manufacture carbonated beverages, soda waters, grape juice, cider, mineral waters or other soft drinks as hereinafter provided. Said license shall run for one year from the date of the application, unless sooner revoked as herein provided and shall be renewed annually thereafter.

235. (C. L., 6439) SEC. 2. No person, firm or corporation shall sell, offer for sale or have in their possession with intent to sell, any soda water syrup or extract, soft drink syrup, or extract bearing a distinguishing name or trade mark, without first registering the name or brand of the syrup or extract, and the name and address of the manufacturer thereof, with the Dairy and Food Commissioner. He or they shall also pay into the State treasury at the time of making such registration a license fee of five dollars for each and every brand of said syrup or extract that is sold or offered for sale. Said registration shall be renewed annually: Provided, That whenever any manufacturer, agent or seller shall have paid this fee, his agent or dealer using the same shall not be required to do so. All moneys collected by the Dairy and Food Commissioner under the provisions of this act shall be paid into the

State treasury and be used to help defray the expenses of the office of the Dairy and Food Commissioner in addition to the annual appropriation therefor. The provisions of this section shall not apply to local sellers of soda water, grape juice, cider, or other carbonated beverages, as to syrups and extracts made by themselves for their own use exclusively. A manufacturer, jobber or dealer in every syrup, extract or soft drink required to be licensed under this section shall, upon making application for such license, file with the Dairy and Food Commissioner a sample of said syrup, extract or soft drink for analysis, and said license shall not be granted by the Dairy and Food Commissioner unless he shall determine that said syrup, extract or soft drink is free from all harmful drugs and other ingredients that are injurious to health.

[Am. by House Enrolled Act No. 169, S. L. 1917.]

236. (C. L., 6440) SEC. 3. The Dairy and Food Commissioner shall have the power to revoke any license issued under the provisions of this act, whenever it is determined by himself or any of his deputies, chemists or other properly qualified official that any of the provisions of this act have been violated. Any person, firm or corporation whose license has been so revoked shall discontinue the manufacture of bottle carbonated beverages, soda waters, grape juice, cider or other mineral waters until the provisions of this act have been complied with and a new license issued. He may revoke such license temporarily until there is a compliance with such conditions as he may prescribe, or permanently for the unexpired period of such license.

237. (C. L., 6441) SEC. 4. Before revoking any license, the Dairy and Food Commissioner shall give written notice to the licensee affected, stating that he contemplates the revocation of the same and giving his reasons therefor. Said notice shall appoint a time of hearing before said commissioner and shall be mailed by registered mail to the licensee. On the day of hearing, the licensee may present such evidence to the commissioner as he deems fit, and after hearing all the testimony, the commissioner shall decide the question in such manner as to him appears just and right.

238. (C. L., 6442) SEC. 5. Any licensee who feels aggrieved at the decision of the commissioner, may appeal from said decision within ten days by writ of certiorari to the circuit court of the county where licensee resides and issue shall be framed in said court and a trial had and its decision shall be final.

239. (C. L., 6443) SEC. 6. For the purpose of this act a bottled carbonated beverage, soda water, grape juice, cider or other soft drink, except pure fruit juices, shall consist of a beverage made from a pure cane or beet sugar syrup, containing pure flavoring materials, with or without added fruit acid, with or without added color and shall contain in the finished product not less than eight per cent sugar: Provided, That nothing in this act shall prohibit the use of any other harmless ingredient in the manufacture of carbonated beverages: And provided further, That whenever artificial coal tar colors are used nothing but the certified colors as approved by the federal government are permissible. The provisions of this section shall not apply to retailers who do not bottle soda water or other soft drinks, or to beverages made in imitation

of beer, bitter drinks or other similar drinks. And all bottled carbonated beverages or other soft drinks not in compliance with the standards established by this act, shall be deemed to be adulterated.

240. (C. L., 6444) SEC. 7. Whenever artificial colors or flavors are used in the manufacture of carbonated beverages, soda waters, grape juice, cider, mineral waters or other soft drinks the bottle or other container shall be distinctly labeled "Artificially colored and flavored." All ciders, fruit ades, fruit juices or other similar drinks that are made in imitation of the natural product shall be properly and distinctly labeled with the word "Imitation" followed by the name of the beverage. All beverages sold in bulk; or from open receptacles that contain artificial coloring or artificial flavors of any character, shall be so labeled, said labels to be prominently displayed on all stands, booths, or other places where said beverages are sold or dispensed. Labels for this purpose shall not be less than four inches wide and ten inches long, and shall contain the following:

"Artificially colored, artificially flavored," or "Artificially colored, imitation flavor." When said beverages contain artificial color and natural fruit flavor, said labels shall indicate the presence of the artificial coloring as follows: "Artificially colored." When said beverages contain artificial flavors and no artificial coloring, they shall be labeled as follows: "Artificial flavor," or "Imitation.....flavor."

241. (C. L., 6445) SEC. 8. All buildings, stores, factories, or other places where carbonated beverages, soda waters, grape juice, cider, mineral waters or other soft drinks are manufactured or bottled shall be well lighted and ventilated and shall be kept at all times in a sanitary condition. All machines, bottles, jars or other utensils used in the manufacture of carbonated beverages, soda water, mineral waters or other soft drinks shall be kept at all times in a clean and sanitary place and in a sanitary condition.

242. (C. L., 6446) SEC. 9. All bottles used in the manufacture of carbonated beverages, soda waters, grape juice, cider, carbonated mineral waters or any other soft drink, before being filled shall be sterilized by soaking in a hot caustic solution of not less than one hundred twenty degrees Fahrenheit that shall contain not less than five per cent caustic or alkali, expressed in terms of sodium hydrate, for a period of not less than five minutes, then thoroughly rinsed in pure water until free from alkali; or by any other suitable process that will properly sterilize the bottles.

243. (C. L., 6447) SEC. 10. No bottles shall be used in the manufacture of carbonated beverages, soda waters, grape juice, cider, mineral waters or other soft drinks, in which the metal or rubber part of the stopper comes in contact with the beverage. The provisions of this section shall not apply to carbonated water put up in "siphons."

244. (C. L., 6448) SEC. 11. Any person, firm or corporation who shall do any of the acts or things prohibited, or neglect or refuse to do any of the acts or things required by this act or in any way violate any of its provisions, shall be deemed guilty of a misdemeanor, and shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the county jail for a period or not more than ninety days or by both such fine and imprisonment in the discretion of the court.

245. (C. L., 6449) SEC. 12. The Dairy and Food Commissioner shall be charged with the enforcement of the provisions of this act.

STATE BRAND FOR BUTTER.

(Act No. 53, Public Acts, 1915.)

AN ACT to provide for a State brand for Michigan butter, for the purpose of insuring a higher standard of excellence and quality, a more uniform butter market, and to insure a more healthful product for consumption at home and abroad, and to regulate the use of such mark or brand.

The People of the State of Michigan enact:

246. (C. L., 6270) SECTION 1. Any person, firm or corporation manufacturing butter in this State may use the brand, mark or label therefor as provided in this act.

247. (C. L., 6271) SEC. 2. Said trade mark or brand and its use and regulation shall be in charge of and under the control of a commission of three members consisting of the State Dairy and Food Commissioner, the President of the Michigan State Dairymen's Association and the President of the Michigan State Butter Makers' Association.

248. (C. L., 6272) SEC. 3. The State trade mark or brand shall be controlled, used, manufactured and issued under such rules and regulations as may be found necessary from time to time by the said commission. Said commission or commissioners shall have power to make such changes in the rules and regulations for the use of said trade mark or brands as it may deem necessary from time to time.

249. (C. L., 6273) SEC. 4. The rules governing the use of such trade mark or brand shall be published by and through bulletins issued by the State Dairy and Food Department. Such labels, stamps or other means of imprinting such trade mark or brand upon the manufactured product or the receptacles containing the same, shall be furnished to those entitled to the use thereof by the State Dairy and Food Department.

250. (C. L., 6274) SEC. 5. The said commission is hereby directed and authorized to secure a copyright under the laws of the United States for trade-marks or brands, and copyrights for such trade-mark or brand of butter. Said trade-mark, brand, or label shall be of such size and design as the said commission shall designate and shall contain in prominent letters, the words, "Michigan butter, License Number," and the words, "State Butter Control."

251. (C. L., 6272) SEC. 6. Any person, firm or corporation desiring to use the brand or label provided for in this act in the manufacture or sale of butter shall make written application for a license therefor to the dairy and food commissioner, which application shall describe by location and name the creamery or factory in which such butter is to be manufactured, and give such other information as may be required. A license shall be granted to such person, firm or corporation to use such

brand or label at the factory described in the application, if on investigation by the Dairy and Food Commissioner, his deputy or duly authorized assistants, it appears that all the provisions of this act and the rules and regulations by the commission have been complied with. Such license shall state that the brand or label provided for by the said commission may be used in connection with the manufacture or sale of butter from the factory described in such license. Such factories so described shall be given the same number as the serial number of the license.

252. (C. L., 6276) SEC. 7. No person, firm or corporation shall use in the manufacture or sale of butter such brand or label without having first obtained a license therefor as provided in this act. Such license so granted may be revoked by the said commissioner if any of the conditions of this act or of the rules and regulations of the commission are not complied with. Such license so granted shall not be transferable.

253. (C. L., 6277) SEC. 8. The use of any brand or mark for butter or butter substitute resembling the above brand or so near like it that it can be confounded with it, is prohibited.

254. (C. L., 6278) SEC. 9. Any person, firm or corporation violating any of the provisions of this act shall be deemed guilty of a misdemeanor and on conviction thereof shall be fined not more than one hundred dollars or imprisoned in the county jail for not more than thirty days.

STANDARD MILK BOTTLES.

(Act No. 154, Public Acts, 1915.)

AN ACT to prevent fraud and deception in the sale of milk and cream, providing standard milk bottles and for the sealing thereof.

The People of the State of Michigan enact:

255. (C. L., 6279) SECTION 1. On and after January one, nineteen hundred sixteen, bottles used for the sale of milk and cream in this State shall be of the capacity of half gallon, three pints, one quart, one pint, ten ounce, half pint, one gill filled full to the bottom of the lip. The following variations on individual bottles or jars may be allowed: Six drams above and six drams below on the half gallon; five drams above and five drams below on the three pint; four drams above and four drams below on the quart; three drams above and three drams below on the pint; two and one-half drams above and two and one-half drams below on the ten ounce; two drams above and two drams below on the half pint; two drams above and two drams below on the gill. But the average contents of not less than twenty-five bottles selected at random from at least four times the number tested must not be in error by more than one-quarter of the tolerances: One and five-tenths drams above and one and five-tenths drams below on the half gallon; one and twenty-five hundredths drams above and one and twenty-five hundredths drams below on the three pint; one dram above and one dram below on the quart; seventy-five hundredths

drams above and seventyfive hundredths drams below on the pint; seventy-five hundredths drams above and seventy-five hundredths drams below on the ten ounce; five-tenths drams above and five-tenths drams below on the half pint; five-tenths drams above and five-tenths drams below on the gill. Bottles or jars used for the sale of milk shall have clearly blown or otherwise permanently marked in the side of the bottle, the capacity of the bottle and the word "sealed" and in the side or bottom of the bottle the name, initials or trade-mark of the manufacturer and designating number, which designating number shall be different for each manufacturer and may be used in identifying the bottles. The designating number shall be furnished by the State Superintendent of Weights and Measures upon application by the manufacturer, and upon filing by the manufacturer of a bond in the sum of one thousand dollars with sureties to be approved by the Attorney General, conditioned upon their performance of the requirements of this section. A record of the bonds furnished, the designating numbers, and to whom furnished, shall be kept in the office of the Superintendent of Weights and Measures.

256. (C. L., 6280) SEC. 2. On and after January one, nineteen hundred sixteen, any manufacturer who sells milk or cream bottles to be used in this State, which do not comply as to size and markings with the provisions of this act, shall suffer the penalty of five hundred dollars, to be recovered by the Attorney General in an action against the offender's bondsmen, to be brought in the name of the people of the State. Any dealer who uses, for the purpose of selling milk or cream, jars or bottles purchased after this law takes effect, which do not comply with the requirements of this act as to markings and capacity, shall be deemed guilty of using false or insufficient measure.

257. (C. L., 6281) SEC. 3. Sealers of weights and measures are not required to seal bottles or jars for milk or cream marked as in this act provided, but they shall from time to time make tests on individual bottles used by the various firms in the territory over which they have jurisdiction, in order to ascertain whether the above provisions are being complied with, and they shall report violations found immediately to the Superintendent of Weights and Measures. Any dealer who knowingly uses for the purpose of selling milk or cream, jars or bottles purchased after this law takes effect, which do not comply with this act as to marking the capacity, shall be guilty of a misdemeanor and be punished accordingly.

PASTEURIZATION.

(Act No. 93, Public Acts, 1915.)

AN ACT to provide for pasteurizing the by-products of cheese factories, creameries, skimming stations and other places where milk is received and distributed.

The People of the State of Michigan enact:

258. (C. L., 6333) SECTION 1. Every owner, operator or manager of a cheese factory, creamery, skimming station or other place where milk is received and the by-products distributed, shall, before returning to or delivering to any person or persons any skim milk, whey, buttermilk, or other milk by-products to be used for feeding purposes for farm animals, cause such skim milk, whey, buttermilk, or other milk by-products to be thoroughly pasteurized by heating the same to one hundred forty-five degrees Fahrenheit and holding at that temperature for not less than thirty minutes or to one hundred eighty-five degrees without holding: Provided, That the provisions of this act shall not apply to cheese factories or creameries that pasteurize the milk or cream prior to manufacture.

259. (C. L., 6334) SEC. 2. Whoever violates any of the provisions of this act shall be deemed guilty of a misdemeanor, and on conviction shall be punished by a fine of not more than one hundred dollars, or imprisonment in the county jail for not exceeding ninety days, or both, in the discretion of the court.

NEW LIQUOR LAWS.

(House Enrolled Act No. 204, Session Laws of 1917.)

AN ACT to prohibit the manufacture, sale, keeping for sale, giving away, bartering or furnishing any vinous, malt, brewed, fermented, spirituous or intoxicating liquors, except for medicinal, mechanical, chemical, scientific and sacramental purposes; to regulate the manufacture, sale and possession thereof for such excepted purposes; to provide for the enforcement of, and to prescribe penalties for violations of this act; to prohibit certain advertising and advertisements pertaining to the liquor traffic; to prescribe the duties of officers, and of carriers pertaining to the liquor traffic; to prescribe rights of action, recovery of damages and rules of evidence thereunder; and to repeal all acts in conflict therewith.

The People of the State of Michigan enact:

260. SECTION 1. This entire act shall be deemed to be an exercise of the police power of the State, for the protection of the economic welfare,

health, peace and morals of the people of the State, and all of its provisions shall be liberally construed for the accomplishment of those purposes.

261. SEC. 2. It shall be unlawful for any person, directly or indirectly, himself or by his clerk, agent or employe, to manufacture, sell or keep for sale, give away, barter, furnish or otherwise dispose of any vinous, malt, brewed, fermented, spirituous or intoxicating liquors; or any mixed liquors or beverages, any part of which is intoxicating; or to keep a saloon or any other place where such liquors are manufactured, sold, stored for sale, given away or furnished in this State, on and after the first day of May, nineteen hundred eighteen except as herein otherwise provided.

262. SEC. 3. The phrase "intoxicating liquors," wheresoever used in this act, shall be held and construed to include any vinous, malt, brewed, fermented, or spirituous liquors, and every other liquor or liquid containing intoxicating properties which is capable of being used as a beverage, whether medicated or not, and all liquids, whether proprietary, patented or not, which contain any alcohol and are capable of being used as a beverage; and all mixtures, compounds or preparations, whether liquid or not, which are intended when mixed with water or otherwise, to produce, by fermentation or otherwise, an intoxicating liquor. Nothing in this act shall have any application to denatured or wood alcohol.

263. SEC. 4. "Sale" shall include exchange, barter or traffic. In case of a sale in which a shipment or delivery of such intoxicating liquor is made by a common or other carrier, the sale thereof shall be deemed to be made in the county wherein the delivery thereof is made by such carrier to the consignee, his agent or employe, and a prosecution for such sale may be had in the county or city wherein the seller resides or from which the shipment is made, or at place of delivery.

264. SEC. 5. The word "person," wheresoever used in this act, shall be held and construed to mean and include natural persons, firms, co-partnerships, corporations and all associations of natural persons, incorporated or unincorporated, whether acting by themselves or by a servant, agent or employe.

265. SEC. 6. The term "druggist" shall be deemed to mean any person duly licensed to practice as a pharmacist or druggist under the laws of Michigan, and the term "drug store" shall be deemed to mean a place in which drugs or medicines are retailed or dispensed or physicians' prescriptions compounded, and in charge of and under the supervision of a duly registered pharmacist. The terms "licensed druggist" and "licensed pharmacist" shall mean any druggist or pharmacist holding a license duly issued under this act to sell intoxicating liquors.

266. SEC. 7. It shall be unlawful for any club, fraternity, lodge, or benevolent society, or other combination of individuals, or any officer, employe, member, patron, or attendant thereof, or for any proprietor, manager or employe of any hotel, restaurant, rooming house, boarding house or any place of public entertainment to keep, or to aid and abet in keeping, any intoxicating liquors for the purpose of sale, use or gift as a beverage, or for the division or distribution of the same about any such place in any manner whatever. In all cases arising under this section any person above specified shall be a competent witness to prove a

violation of any of the provisions hereof, and any such person shall not be excused from testifying by reason of such testimony tending to incriminate himself, but the testimony so given shall in no case be used against him. The maintaining or keeping of any such place as hereinbefore described, or the violation of any of the provisions of this act by any chartered club or association of persons incorporated under the laws of the State, shall be sufficient grounds for forfeiture of its charter.

267. SEC. 8. It shall be unlawful for any person to solicit, receive, take or receive for the purpose of forwarding to another, any order or orders for, or any purchase or purchases of intoxicating liquors in any manner whatsoever, except as in this act provided.

268. SEC. 9. The provisions of this act shall not be construed to prevent the manufacture of cider from fruit, for the purpose of making vinegar, and non-intoxicating cider and fruit juice for use and sale; or to prevent the manufacture and sale of ethyl alcohol in quantities of not less than ten gallons as herein provided, to druggists, manufacturers, hospitals, infirmaries, medical, or educational institutions using the same for medicinal, mechanical, chemical or scientific purposes; or the sale of wine for sacramental purposes for use by religious bodies; or to prevent the sale and keeping and storing for sale by druggists of intoxicating liquors for medicinal, mechanical, chemical or scientific purposes, or of wine for sacramental purposes by religious bodies; or to prevent the sale or gift, or keeping and storing for sale by druggists and general merchants and others, of any of the medicinal preparations manufactured in accordance with the formulas prescribed by the United States Pharmacopoeia and National Formulary, patent or proprietary preparations, and other bona fide medicinal and technical preparations which contain no more alcohol than is necessary to extract the medicinal properties of the drugs contained in such preparations; and no more alcohol than is necessary to hold the medicinal agents in solution and to preserve the same, and which are manufactured and sold as medicine and not as beverages, and the sale of which does not require the payment of a United States liquor dealer's tax; or to prevent the manufacture and sale of tinctures or of toilet, medicinal and antiseptic preparations and solutions not intended for internal human use nor to be sold as beverages, and upon the outside of each bottle, box or package of which is printed in the English language, conspicuously and legibly, the quantity by volume of alcohol in such preparations; or to prevent the manufacture and keeping for sale of the food product known as flavoring extracts which shall be so manufactured and sold for cooking and culinary purposes: Provided, That it shall not be lawful to manufacture or sell any toilet, medicinal or antiseptic preparations or solutions, or any flavoring extracts or patent or proprietary medicines or preparations, the manufacture and sale of which requires the payment of a United States liquor dealer's tax, except as herein provided: Provided further, That, manufacturers of alcohol shall keep such records and make such reports, and purchasers thereof shall make such application as herein provided in the case of sale by and purchase from retail druggists.

269. SEC. 10. It shall be unlawful for any person to sell any such toilet, medicinal or antiseptic preparations, or solutions or flavoring extracts, or patent or proprietary medicines or preparations, for beverage

purposes in the guise of flavoring extracts or medicines. The manufacturers of flavoring extracts, tinctures, or of toilet, medicinal and antiseptic preparations or solutions, patent or proprietary medicines or preparations permitted to be manufactured by this act, shall be permitted to purchase and to store ethyl alcohol necessary for the manufacture of said articles, but not to be sold or given away: Provided, That such manufacturer shall, before engaging in such manufacture, secure a permit under the same conditions as provided in this act for the granting of a permit to sell intoxicating liquors to druggists. Said manufacturers shall make the monthly report required of druggists by this act.

270. Sec. 11. Every registered druggist or pharmacist keeping a drug store, who is permitted to do so as herein provided, may, by himself or his clerk, who is a registered pharmacist or a registered druggist, sell intoxicating liquors in the following cases:

(a) Intoxicating liquors upon the written prescription, as herein provided, of a physician who is lawfully and regularly engaged in the practice of his profession in Michigan;

(b) Intoxicating liquors for medicinal, mechanical, chemical or scientific purposes, to any hospital, infirmary, medical or educational institution where such liquors are used only for medicinal, mechanical, chemical and scientific purposes, upon the sworn, written, signed and dated application of the superintendent thereof;

(c) Alcohol to any dentist who is lawfully or legally engaged in the practice of his profession in Michigan, for the use in the practice of his profession, upon the sworn, written, signed and dated application of such dentist, personally presented;

(d) Alcohol to any veterinary surgeon who is lawfully or legally engaged in the practice of his profession in Michigan, for the use in the practice of his profession, upon the sworn, written, signed and dated application of such veterinary surgeon, personally presented;

(e) Wine for sacramental purposes to any clergyman having charge of a church, or to any recognized official thereof, upon the sworn, written, signed and dated application of such clergyman or of said official;

(f) Ethyl alcohol for mechanical, chemical or scientific purposes, upon the written application of the purchaser, known by such druggist or pharmacist to be a person engaged or employed in such mechanical, chemical or scientific pursuits, which shall be dated, signed and sworn to by the purchaser thereof.

271. Sec. 12. All such applications for the purposes enumerated, shall state clearly and specifically the kind and quantity of the liquors required and the use to which they are to be put by the person purchasing the same, and that he will not use any of the liquors procured thereon for a beverage or for any other use than that stated in the application. All said prescriptions and applications shall be canceled as soon as filled by the person filling the same, by having the word "canceled" plainly written or stamped thereon, signed and dated by the person who filled the same, and shall be filed with the prosecuting attorney of the county in which the drug store is located and thereafter be open to public inspection; it shall be unlawful to furnish any liquors more than once upon any such prescription or application.

272. Sec. 13. It shall be the duty of the druggist to register in an

alphabetically arranged book, kept exclusively for the purpose, all prescriptions from physicians mentioned herein, in the following order: The name of the physician, the name of the person prescribed for, the quantity and kind of intoxicating liquors and the use for which prescribed; he shall endorse upon the prescription the date upon which it was filled and the name of the druggist filling the prescription or making said sale. The application mentioned in section twelve shall be filed with the prosecuting attorney, and a record thereof made by such druggist in such record book, showing the date of application, by whom made, the quantity and kind of such liquors, and when, where, and for what purpose and by whom to be used. The applicant shall certify to the same by signing his name thereto in said record book. Such book shall be open at all times to any such officer whose duty it is to enforce the provisions of this act. For the purpose of this act, any registered druggist or pharmacist making such sale shall have authority to administer the oaths herein required.

273. SEC. 14. No druggist shall sell liquors on prescription or application, as provided herein, until he shall have procured a permit which may be issued by the commissioner upon the payment of one dollar. Such permit shall run for one year from the date of issue, unless sooner revoked; said permit may be revoked by the commissioner, at his discretion, for cause shown.

274. SEC. 15. Before the commissioner shall grant any such permit he shall be satisfied that the druggist making the application is a person of good moral character and temperate habits, is a registered pharmacist in good standing, or employs a registered pharmacist in his store, and that the applicant has presented satisfactory proof that there is a necessity existing for the granting of such permit. The commissioner may make such rules and regulations regarding the application for and the granting of such permits as he shall deem advisable.

275. SEC. 16. Any infirmary or institution conducted solely for the purpose of treating or curing the liquor habit, may purchase and possess, and dispense to its bona fide patients where necessary for medical use only, intoxicating liquors: Provided, That said infirmary or institution shall have procured a permit so to do, which may be issued by the commissioner upon the same terms as prescribed in section fourteen.

276. SEC. 17. The commissioner may also issue a permit to wholesale druggists, manufacturing pharmacists and manufacturing chemists only, to sell intoxicating liquors to retail druggists who have been granted permits to sell the same and to any hospital, infirmary, medical or educational institution where such liquors are used, only for medicinal, mechanical, chemical or scientific purposes: provided, however, That before any such wholesale druggist, manufacturing chemist or manufacturing pharmacist shall sell any intoxicating liquors mentioned in this section, the purchaser thereof shall make an application as provided for in case of sale by retail druggists; and such wholesale druggist, manufacturing pharmacist or manufacturing chemist shall keep a record of such sale and make reports, as herein provided for retail druggists. Each wholesale and retail druggist, manufacturing pharmacist and manufacturing chemist, infirmary and institution referred to in section sixteen, shall file a sworn statement with the prosecuting attorney of the county in which

he does business, and a duplicate thereof with the commissioner on or before the fifth day of each month, stating the amount of intoxicating liquors on hand at the first of the previous calendar month, the amount, kind and date of receipt of each consignment of said liquors received during such month, and the amount on hand at the close of the month for which the statement is made: Provided further, That it shall be unlawful for any hospital to dispense any of such liquors as they are permitted to purchase, except to its own patients.

277. SEC. 18. No licensed druggist or pharmacist shall be permitted to sell or give any intoxicating liquors, under any circumstances, to any minor, nor to any person who is intoxicated, nor to any person in the habit of getting intoxicated, nor to any person when forbidden in writing so to do by the husband, wife, parent, child, guardian or employer of such person, or by the supervisor of any township, or mayor, or director of the poor, or any supervisor, alderman or commissioner of any city, or president or trustee of any village, or superintendent of the poor, prosecuting attorney or sheriff of any county, the chief of police of any city, or marshal of any village, in which such person shall reside or temporarily remain.

278. SEC. 19. Any physician lawfully and regularly engaged in the practice of his profession in Michigan, who shall deem any intoxicating liquors necessary for the health of his patients may give such patient a prescription therefor for not to exceed eight ounces. Every such prescription shall contain the name and address of the person to whom it is given, full directions for taking or using the same and the number of such prescriptions that the said physician has given to the said patient within the preceding year, and that after a physical diagnosis the said physician is satisfied that the said intoxicating liquors prescribed were necessary to the health of the said patient. Any physician who shall give such prescription without complying with the provisions of this section, or shall administer such liquors in violation of this act, or who shall give or write for any person a prescription for or including intoxicating liquors, for the purpose of enabling or assisting any person to evade the provisions of this act, or to obtain liquor for use as a beverage or to be sold or disposed of in any manner in violation of this act, or who shall give a prescription to any person for or including intoxicating liquors without making the physical diagnosis herein provided for, shall be guilty of an offense under this act: Provided, however, That nothing herein shall be construed to prevent the sale of ethyl alcohol for external use, when combined with such other liquids or substances as will make it unfit for internal use.

279. SEC. 20. Every licensed druggist keeping a drug store shall make and swear to, or cause to be sworn to, a true statement, signed and sworn to by himself or his clerk, on or before the fifth day of each and every month for the calendar month preceding, giving the full name and residence of every person procuring liquors at his drug store during the last preceding month, the kind and quantity of liquor procured, the date of procuring the same and the object for which each purchase was made, and file the same as required by section seventeen of this act. All such statements shall be open to public inspection.

280. SEC. 21. It shall be the duty of the commissioner to prescribe

forms conforming to the provisions of this act, and to furnish the samples thereof to the clerks of the several counties of the State. Such forms shall be used exclusively wherever applicable under this act.

281. SEC. 22. Every druggist shall, after receipt of his permit as aforesaid and before he shall sell any of the liquors mentioned in this act, execute and file with the county treasurer of the county in which he is carrying on the said drug business, a bond, the sufficiency of which shall be determined by the official municipal governing body of the township, village or city in which such business is proposed to be carried on, to the people of the State of Michigan in the sum of two thousand dollars with two or more sufficient sureties who shall be freeholders and residents of the county in which such business is proposed to be carried on, each of whom shall justify in a sum equal to the amount of the bond over and above all indebtedness and all exemptions from sale or execution, and all liability on their bonds, which bond shall be in such form as shall be prescribed by the commissioner. There shall also be annexed to each bond required by this act the affidavit of each surety thereto, which affidavit shall state that affiant is not a surety upon any other bond required by the provisions of this act, that he is a male resident and freeholder of the county in which said principal proposes to carry on the business of a druggist, and that he is worth in real estate appearing of record in his name (giving liber and page) situate within the county in which the business is proposed to be carried on, having an assessed valuation in a sum equal to the amount of the bond over and above all indebtedness and exemptions from sale or executions, and if, in the judgment of said board, council or commission, said sureties, or either of them are not worth the full sum mentioned in said bond, over and above all their liabilities and exemptions, the said township board, village, or city council or commission shall refuse to approve said bond. Said bond shall not be received by the county treasurer unless the approval thereof by the said board, council or commission shall be duly certified thereon in writing.

282. SEC. 23. Any druggist, physician or other person who, directly or indirectly, by himself, his clerk, agent or servant, sells, furnishes, gives, delivers or prescribes for or to any person, intoxicating liquors, except as expressly provided herein, or any druggist or other person who fails, neglects or refuses to make the reports as herein provided, or any person permitted by this act to purchase any intoxicating liquors from any druggist, who shall use the same for any purpose other than that mentioned in the prescription or application upon which the same is procured, shall be deemed guilty of a violation of this act, and upon conviction shall be punished as provided in the penal section hereof, and in addition to the penalty prescribed therefor the court shall forthwith certify the facts of such conviction to the commissioner, which certificate shall forthwith be made a matter of record by the commissioner, whereupon said commissioner shall revoke said permit, and no new permit shall be issued to the same person or to anyone conducting the same business in the same location, for a period of one year thereafter: Provided, however, That if any such clerk, agent or servant other than the said druggist, pharmacist or chemist, as owner or owners, shall sell or give away any intoxicating liquors contrary to the provisions of this act, upon conviction of said

clerk or employe, said druggist, pharmacist or chemist may, before his trial and upon the discharge by him of said clerk or employe permanently, be permitted to present to the court evidence that said sale or gift was without his knowledge, consent, acquiescence or connivance, and if the court is convinced from said evidence that said druggist, pharmacist or chemist was not in any sense a party to the violation of this act by his clerk or other employe, then said druggist, pharmacist or chemist shall not be deemed guilty of the violation of the provisions of this section by reason of the violation thereof by his clerk or employe.

283. SEC. 24. A second and subsequent offense, in addition to the penalty herein prescribed, shall be grounds to revoke the license of the said druggist to practice pharmacy, and all intoxicating liquors in possession of said druggist, or in said drug store, or on the premises connected therewith, shall forthwith be destroyed, by order of the court, and the court shall forthwith certify the fact of such conviction to the authority granting the license, which certificate shall forthwith be made a matter of record by such authority, and shall act as a bar to the granting or renewal of license to practice pharmacy to said druggist in the State.

284. SEC. 25. If any person makes a sworn complaint or affidavit before any magistrate authorized to issue warrants in criminal cases, that he has reason to believe and does believe that any intoxicating liquors are being manufactured, sold, furnished or given away, or kept for the purpose of being sold, furnished or given away contrary to law, or that any such liquors are stored, temporarily or otherwise, in any depot, freight house, express office, or in any other building or place with the apparent intention of being delivered for the purpose of being sold, furnished or given away contrary to the provisions of this act, such magistrate shall immediately issue his warrant to any officer whom the complaint may designate, having power to serve criminal process, commanding him to search the premises described and designated in such complaint and warrant, and if such liquors are there found, to seize the same together with the vessels in which they are contained, and all the implements and furniture used and kept for such illegal selling, furnishing, giving away or storing of such liquors, and them safely keep and make immediate return on said warrant. Such liquors, furniture, vessels and implements used in such manufacturing, keeping or selling shall be held subject to the order of such court or magistrate, to be used as evidence in the prosecution of any case for the violation of this act.

285. SEC. 26. When such intoxicating liquors or implements, vessels or furniture are seized, as hereinbefore provided, the officer serving the warrant shall forthwith file a complaint in writing and on oath, charging the violation of the law which the evidence in the case justifies. If such officer refuses or neglects to file such complaint, then the person filing the affidavit for a search warrant, or any other person, may file such complaint, but nothing herein contained shall prevent any person or officer from filing such complaint before the search warrant is issued or served, and all intoxicating liquors, furniture, vessels and implements seized may be used as evidence at the trial or hearing, based upon such complaint charging the violation of this act.

286. SEC. 27. No warrant for search shall be issued until there has been filed with the magistrate an affidavit describing the house or place

to be searched, the things to be searched for, and alleging substantially the offense in relation thereto, and that affiant believes, and has good cause to believe that such liquor is there concealed: Provided, however, That any description that will enable the officer to find the house or place to be searched shall be deemed sufficient. The warrant for search shall be directed to the proper officer and shall recite all of the material facts alleged in the affidavit, and describe the things to be searched for and the place to be searched. A warrant for search and seizure substantially in the following form shall be sufficient:

The State of Michigan,....., County, ss.

To....., Greeting.

Whereas there has been filed with the undersigned an affidavit (here set out the material facts alleged in the affidavit):

These are, therefore, to command you in the name of the People of the State of Michigan, together with the necessary and proper assistance, to enter into (here describe the place designated in the affidavit) of the saidsituated in the.....of..... in the county aforesaid, and there diligently search for the said intoxicating liquors and vessels, implements and furniture, to-wit: (here describe the articles as in affidavit) and that you will bring the same or any part thereof found in such search forthwith before me to be disposed of and dealt with according to law.

Given under my hand and seal this.....day of.....

.....

Official title.

287. SEC. 28. If fluids are poured out, secreted or otherwise destroyed by the owner of the premises, or occupant, or by any tenant, assistant or other person, when the premises are searched or to be searched, manifestly for the purpose of preventing their seizure by officers authorized to make such search and seizure, such fluids shall be held to be prima facie intoxicating liquor and intended for unlawful sale.

288. SEC. 29. When liquors, vessels, implements or furniture are seized as provided in the preceding section, the officer who makes such seizure shall, upon his return upon the warrant, make a statement setting forth their seizure by him and their place of detention, and they shall be held by said officer subject to the order of the court. Upon final judgment of the court upon the complaint provided for in section twenty-six, such intoxicating liquors shall be returned to their lawful owner in case of acquittal, or destroyed, according to the order of the court, in case of conviction. When liquors, vessels, implements or furniture shall have been seized by virtue of any warrant, said warrant shall not be held void, nor such liquors, vessels, implements or furniture returned to any person claiming the same by reason of an alleged insufficiency of the description in the complaint or warrant: Provided, That a new complaint or warrant shall be issued within twenty-four hours.

289. SEC. 30. If no one is found in possession of the premises where such liquor may be found, the officer taking the same shall post in a conspicuous place on the building or premises, a copy of his warrant, and take possession of such liquors, vessels, implements and furniture, and hold them subject to the order of the court or magistrate issuing the warrant, and make return of his doings thereon. Whereupon it shall

be the duty of the magistrate to fix a time for hearing and determining the purpose for which such liquors are kept, and issue notice thereof to the officer who shall post a copy thereof on the building or premises where the liquors are found. If at the time of said hearing no person or persons appear, nor within thirty days thereafter, to claim such liquors, vessels, implements and furniture, the magistrate or court shall order the same destroyed.

290. SEC. 31. No warrant shall be issued to search a private dwelling house occupied as such unless some part of it is used as a store or shop, hotel or boarding house, or for any other purpose than a private residence, or unless such private dwelling house is a place of public resort.

291. SEC. 32. Intoxicating liquors, furniture, vessels and implements seized as hereinbefore provided, shall not be taken from the custody of the officer by a writ of replevin or other process while the proceedings herein provided are pending.

292. SEC. 33. If any prohibited liquors or beverages are delivered to a carrier to be by the carrier transported and delivered C. O. D. to any person at a point in this State, meaning thereby to collect on delivery by the carrier for the consignor the amount of the purchase money for such liquors, then and in any such case the carrier shall be deemed and held to be the agent of the consignor, and all such prohibited liquors and beverages shall remain the property of the consignor until actually delivered and the money paid to the carrier therefor; and the servant and agent of the carrier who knowingly delivers any such liquors or receives pay therefor, within this State shall be guilty of a violation of this act.

293. SEC. 34. The books and way bills used by any common carrier or any other person, firm or corporation, in handling, shipping, transporting or delivering any intoxicating liquors shall be open to public inspection at all times during the business hours; and any person shall be permitted to make copies of any part of said books or way bills relating to the transportation or shipping of any such liquors. Every person, firm or corporation, or official, agent or employe thereof, who shall refuse to comply with the demands of any such person to permit the inspection of any such books or way bills, or the making of such copies, shall be guilty of a violation of this act.

294. SEC. 35. The keeping or having in any house or building, or in any room or place occupied by any person, corporation, club, association or society, except as a private dwelling house, occupied as such, any intoxicating liquors for the purpose of selling, giving away or furnishing to those frequenting such places, or to others, shall be held to be the keeping of a place where intoxicating liquors are sold, furnished or given away. Proof of consumption or intended consumption of any intoxicating liquors, by any person visiting, resorting to or frequenting any of the places mentioned in this section, shall be prima facie evidence of the sale, giving away or furnishing of such liquor or beverage to such person in violation of the provisions of this act.

295. SEC. 36. Whenever complaint shall be made by any person on oath before any justice of the peace or other officer or magistrate, having jurisdiction, that any person is found intoxicated or has been intoxicated in any hotel, store, place of business, public building, street, alley, highway, or other public place, it shall be the duty of such justice, mu-

nicipal or police court, to issue a subpoena to compel the attendance of such person so found intoxicated, or who has been intoxicated, as aforesaid, to appear before the justice or court issuing the same, to testify in regard to the person or persons of whom, and the time when, and the place where, and the manner in which the liquor producing his intoxication was procured; and if such person, when subpoenaed, shall neglect or refuse to obey such writ, the said justice or court who issued the same shall have the same power and authority to compel the attendance of the person so subpoenaed and to enforce obedience to such writ as in other civil cases. Whenever the person so subpoenaed shall appear before the justice or court to testify as aforesaid, he shall be required to answer on oath questions relating to when, where, and of whom he procured, obtained or received the liquor or beverage the drinking of which contributed to the intoxication mentioned in this complaint. And if such person shall refuse to answer fully and fairly such questions, on oath, he shall be punished and dealt with in the same manner as for a contempt of court in other cases. If it shall appear from the testimony of such person that any of the offenses specified in this act have been committed, such justice or court shall make a true record of the same and cause it to be subscribed by such witness; and the said testimony or answers, when subscribed as aforesaid, shall be deemed a sufficient complaint to authorize the issuing of a warrant to arrest any person or persons who may appear from said complaint to be guilty of having violated any of the provisions of this act. Any person arrested on a warrant issued pursuant to the provisions of this section shall be brought before the justice or court issuing the same, and all subsequent proceedings in such suit or prosecution shall be governed by the rules of the law applicable thereto, as in other criminal cases: Provided, That the person so testifying under the provisions of this section shall not be held or prosecuted for the intoxication concerning which such testimony shall be given.

296. SEC. 37. It shall be unlawful for any person to deliver or leave any intoxicating liquors at any place within this State except to those persons herein authorized to receive them.

297. SEC. 38. It shall be unlawful for any consignee of intoxicating liquors to receive or have in his possession any original package or packages containing intoxicating liquor unless said package or packages containing such intoxicating liquor shall be clearly and plainly stenciled, branded or shall have printed thereon in a conspicuous place where it can be plainly seen and read, marked in large letters, the following:

First, This package contains intoxicating liquors;

Second, The name and address of the consignor and consignee and the quantity and kind of intoxicating liquor;

Third, The specific purpose for which said liquors are to be used;

298. SEC. 39. It shall be unlawful for any person to deliver any intoxicating liquors to any person whomsoever, where said liquor has been consigned to a fictitious person, firm or corporation, or to any person, firm or corporation under a fictitious name.

299. SEC. 40. It shall be unlawful for any person, firm or corporation to whom such intoxicating liquors have been consigned, whether consigned to the party by the right name or by a fictitious name, to give

any other person an order for such liquor to any railroad company, express company or other common carrier or any officer, agent or employe of any of them, or to any other person where the purpose of such order is to enable such person to obtain or receive such liquors for himself, or for any other person, firm or corporation than the consignee.

300. SEC. 41. It shall be unlawful for any railroad company, express company or other common carrier, or any officer, agent or employe of any of them, or any other person, to deliver any intoxicating liquors to any person other than to the person to whom such liquors are consigned, without a written order in each instance by said consignee therefor, and then only between the hours of seven o'clock a. m. and six o'clock p. m., or to make such delivery of said liquors as aforesaid when consigned to a firm or corporation, except to a member of said firm, or to an officer or agent of such corporation, or upon the written order in each instance by the consignee therefor.

301. SEC. 42. All railroad, express and transportation companies doing business within this State are hereby required to furnish and keep at each local office a separate book in which shall be entered immediately upon receipt of intoxicating liquors, truthful statements of the amount thereof, giving the same in pints or multiples thereof, the kind of liquors received, the postoffice address of the consignee, the purpose for which such liquor is intended to be used, as stated on the outside of the package containing such liquor; the date when received; and when and by whom delivered; after which record shall be a blank space in which the consignee or his regularly accredited agent shall sign his true name before such liquors are delivered to such consignee; which book shall be open to public inspection at any time during the business hours of said company. Such book shall constitute prima facie evidence as to the facts therein stated, and be admissible as evidence in any court in this State. Any railroad, express or other transportation company, or any employe or agent thereof, who fails, neglects or refuses to comply with the provisions of this section, or who makes or causes to be made any false entry in said book shall be deemed guilty of a violation of this act.

302. SEC. 43. Any railroad, express or other transportation company or common carrier may, as compensation for all the services required of it under this act in investigating, delivering, recording, reporting and taking oaths, collect from each consignee of intoxicating liquors, as a prerequisite to delivery or receipt of each shipment thereof, an amount of not exceeding twenty-five cents.

303. SEC. 44. It shall be unlawful for any person to break open or divide upon the premises of the delivering carrier or person, any original package in which intoxicating liquors are shipped to any place in this State, or for any agent or employe of any carrier or person, or for any carrier of any of said liquors, to allow any original package in which such liquors are shipped, to be broken open or divided upon the premises of said carrier or person.

304. SEC. 45. Proof of a single sale of any one or more of the liquors mentioned in this act, except as hereinbefore permitted, or of the payment by any person, except a wholesale or retail druggist, manufacturing pharmacist or manufacturing chemist, holding a permit under this act, of a United States revenue tax, permitting the manufacture or sale,

at wholesale or retail, of any of the liquors mentioned in this act, at the time and place alleged in the complaint or information, shall be prima facie evidence of a violation of this act.

305. SEC. 46. The several prosecuting attorneys of this State are hereby authorized and directed to secure from the Federal Internal Revenue Collectors for Michigan, on or before the fifteenth day of January and July of each year, the names of all persons who have paid the Federal government special taxes imposed upon the business of selling intoxicating liquors, within their respective counties, whose names shall be filed in his office and a copy thereof furnished to the commissioner, the expense thereof to be audited and allowed by the board of supervisors or auditors.

306. SEC. 47. Every wife, husband, child, parent, guardian or other person who shall be injured in person, or property, means of support or otherwise, by an intoxicated person, by reason of the unlawful selling, giving or furnishing to any such person any intoxicating liquors, shall have a right of action in his or her name against the person who shall by such selling or giving any such liquors have caused or contributed to the intoxication of said person or persons, or who shall have caused or contributed to any such injury, and in any action provided for in this section the plaintiff shall have the right to recover actual and exemplary damages in such sum, not less than fifty dollars in each case, as the court or jury may determine. In case of the death of either party, the action or right of action given in this section shall survive to or against his or her executor or administrator, and in every such action by husband, wife, parent or child, and the general reputation of the relation of the husband and wife, parent and child, shall be prima facie evidence of such relation, and the amount so recovered by either wife or child shall be his or her sole and separate property. Such damages together with costs of suit, shall be recoverable in an action of trespass before any court of competent jurisdiction, and in any case where parents shall be entitled to any such damages, either the father or mother may sue alone therefor, but recovery by one of such parties shall be a bar to suit brought by the other.

307. SEC. 48. Whenever complaint shall be made to a justice of the peace or court having jurisdiction, of any violation of the provisions of this act, he shall not require security for costs to be given, but shall take the complaint and examination of the witnesses as in other cases, and if the offense appears to have been committed he shall issue his warrant for the arrest of the offender, and shall notify the prosecuting attorney, whose duty it shall be to prosecute the same.

308. SEC. 49. All persons engaged in the business of selling or keeping for sale any of the liquors mentioned in this act, whether as owner, or as clerk, agent, servant or employe, shall be equally liable as principals, both civilly and criminally, except as herein otherwise provided, for the violation of any of the provisions of this act, or any person or principal shall be liable, both civilly and criminally, for the acts of his clerk, servant, agent or employe, for the violation of the provisions of this act.

309. SEC. 50. Each violation of any of the provisions of this act shall be construed to constitute a separate and complete offense.

310. SEC. 51. Any person who, himself, or by his clerk, agent or employe,

shall violate any of the provisions of this act, for which violation a specific penalty is not herein provided, shall, for the first offense, be guilty of a misdemeanor, and upon conviction thereof be sentenced to pay a fine of not more than two hundred dollars and the costs of prosecution, or to imprisonment in the county jail for a period of not less than thirty days or more than six months, and for every second and subsequent offense, so committed, whether in the same county or in any other county of the State, he shall, upon conviction thereof, be sentenced to imprisonment in any penal institution of this State for a term of not less than six months or more than two years, and in addition thereto the court may impose a fine not to exceed one thousand dollars.

311. Sec. 52. All suits or actions pending and rights of action accrued, under the law in force the date this act takes effect, whether on behalf of the people of the State or any person or persons, are hereby preserved and saved, and may be prosecuted and sued to final judgment, and such judgment enforced in like manner and with the same effect as though this act were not passed.

312. Sec. 53. It shall be unlawful for any common carrier, its agent or employe, to collect, receive, or transmit any money or other valuable consideration in payment for any intoxicating liquors delivered by any carrier, nor shall any agent or employe of any common carrier solicit, receive or transmit any order for any such liquors for another person, nor shall any such employe or agent receive any commission or fee on any such liquors shipped, transferred or delivered by such common carrier.

313. Sec. 54. In all prosecution for selling or furnishing intoxicating liquors, a delivery thereof shall be prima facie evidence of such selling or furnishing, and in any such prosecution evidence of other sales or gifts of intoxicating liquor at or about the same time by the same person, or at the same place to other persons, shall be admissible as tending to show the character of the business in which the defendant is engaged and the probability and creditability of such testimony as may be introduced of the particular sale or sales upon which the State shall rely for conviction.

314. Sec. 55. It shall be the duty of every executive and judicial officer of the State, and of every county, city, village, or township thereof, and of all prosecuting attorneys, sheriffs, police commissioners, superintendents of police, and other police or peace officers, mayors, aldermen, commissioners of cities, presidents or trustees of villages, marshals, supervisors of townships and constables, strictly to enforce the provisions of this act. The failure of any such official so to do shall work a forfeiture of his office, and shall be liable to ouster therefrom as provided by law.

315. Sec. 56. It shall be unlawful for any person to advertise or give notice by signs, billboards, newspapers, periodicals, or otherwise, for himself or another, of the selling or keeping for sale of intoxicating liquors, or to circulate or distribute any price lists, circulars, or order blanks advertising intoxicating liquors, or to publish any newspapers, magazines, periodicals, circulars, or other written or printed papers in which such advertisements or notices are given, or to permit any such notices or advertisements to be posted upon his premises or premises under his control, or to permit the same to so remain upon such premises.

316. SEC. 57. No intoxicating liquors shall be sold, purchased, received or possessed for medicinal, mechanical, chemical, scientific or sacramental purposes except as in this act provided.

317. SEC. 58. Wherever the word "commissioner" is used in this act, it shall be deemed and intended to mean the Dairy and Food Commissioner.

318. SEC. 59. If any section, sub-section, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed the act and each section, sub-section, sentence, clause and phrase thereof, irrespective of the fact that any one or more other sections, sub-sections, sentences, clauses and phrases be declared unconstitutional.

319. SEC. 60. All acts or parts of acts in conflict with the provisions of this act are hereby expressly repealed.

320. SEC. 61. The provisions of this act shall take effect and be in force on and after May first, nineteen hundred eighteen.

(Senate Enrolled Act No. 66, Session Laws of 1917.)

AN ACT to prohibit the bringing or carrying into or receipt or possession within this State, of any vinous, malt, brewed, fermented, spirituous or intoxicating liquors except for medicinal, mechanical, chemical, scientific or sacramental purposes, and to provide a penalty for the violation thereof.

The People of the State of Michigan enact:

321. SECTION 1. It shall be unlawful for any person to bring or carry into or receive or possess within this State any vinous, malt, brewed, fermented, spirituous or intoxicating liquors except for medicinal, mechanical, chemical, scientific or sacramental purposes.

322. SEC. 2. All laws of this State pertaining to search for, seizure of, and complaints, warrants and proceedings relative to such liquors shall be applicable under this act. No person who testifies with respect to any violation of this act shall be prosecuted in respect to such violation, nor shall his evidence as so given be used against him in any criminal proceedings. The word "person" and the phrase "intoxicating liquors" wherever used in this act shall be held and construed to mean the same as defined by the general liquor laws of this State.

323. SEC. 3. Each violation of any of the provisions of this act shall be construed to constitute a separate and complete offense, and for each violation on the same day or different days, the person or persons so offending shall be held to the penalty herein provided.

324. SEC. 4. Any person who, himself or by his clerk, agent or employe, shall violate any of the provisions of this act, shall be deemed guilty of a misdemeanor and upon conviction thereof for the first offense be sentenced to pay a fine of not more than two hundred dollars and

the costs of his prosecution; or to imprisonment in the county jail for a period of not more than six months, or both such fine and imprisonment in the discretion of the court; and for every second and subsequent offense, so committed, whether in the same county or any other county of the State, he shall, upon conviction thereof, be sentenced to imprisonment in any penal institution of this State for a term of not less than six months and not more than two years, and in addition thereto the court may impose a fine of not to exceed one thousand dollars.

325. SEC. 5. All acts or parts of acts in conflict with the provisions of this act are hereby repealed.

326. SEC. 6. The provisions of this act shall take effect and be in force on and after May one, nineteen hundred eighteen.

(Act No. 272, Public Acts of 1915.)

AN ACT to provide for procedure in courts of chancery to enjoin and abate any building, or places used as houses of lewdness, assignation and prostitution or the manufacture, sale, giving away, bartering, furnishing or otherwise disposing of any vinous, malt, brewed, fermented, spirituous or intoxicating liquors, or any mixed liquor or beverage, any part of which is intoxicating, or for the keeping of a saloon or any other place where such liquors are manufactured, sold, stored for sale, given away or furnished in this State contrary to any law of this state; to declare the same to be nuisances; to enjoin the person or persons who conduct or maintain the same and the owner, or agent thereof, of any premises used for such purposes; to prescribe penalties for the violation of the provisions of this act; to provide for contempt proceedings for disregard or violation of any order or decree of abatement or injunction issued in proceedings under this act, and providing forfeiture of the benefits of property exemptions in the enforcement of orders, decrees or writs of execution made or issued by virtue of this act.

The People of the State of Michigan enact:

327. SECTION 1. Whoever shall conduct, maintain, own or lease any building or place used for the purpose of lewdness, assignation or prostitution or for the manufacture, sale, keeping for sale, giving away, bartering, storing or possessing, furnishing or otherwise disposing of any vinous, malt, brewed, fermented, spirituous or intoxicating liquors, or any mixed liquor or beverage, any part of which is intoxicating, or who shall keep a saloon or any other place where such liquors are manufactured, sold, stored for sale, given away or furnished contrary to any law of this State is guilty of a nuisance, and the building or place in or upon which such lewdness, assignation or prostitution or the manufacture, sale, keeping for sale, giving away, bartering, storing or possessing, furnishing or otherwise disposing of any vinous, malt, brewed, fermented, spirituous or intoxicating liquors, or any mixed liquor or beverage, any part of which is intoxicating is conducted, permitted or carried on, and the furni-

ture, fixtures and contents are also declared a nuisance, and shall be enjoined and abated as hereinafter provided.

Amended by House Enrolled Act, No. 203, Session Laws of 1917.

328. SEC. 2. Whenever a nuisance is kept, maintained or exists, as defined in this act, the prosecuting attorney or any citizen of the county may maintain an action in chancery in the name of the State of Michigan, upon the relation of such prosecuting attorney or citizen to perpetually enjoin said nuisance, the person or persons conducting or maintaining the same, and the owner or agent of the building or place where said nuisance exists. Four days' notice in writing shall be given the defendant of the hearing of the application, and if then continued at his instance, the writ as prayed shall be granted as a matter of course. When an injunction has been granted, it shall be binding on the defendant throughout the judicial circuit in which it was issued.

329. SEC. 3. In such action evidence of the general reputation of the place shall be admissible for the purpose of proving the existing of said nuisance. The court may substitute the prosecuting attorney for the complaining party and direct him to prosecute said action to judgment. If the action is brought by a citizen other than the prosecuting attorney and the court finds there was no reasonable ground or cause for said action, the costs may be taxed to such citizen.

330. SEC. 4. In case of the violation of any injunction granted under the provisions of this act, the court may summarily try and punish the offender as for contempt, and the person so offending shall be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail not more than six months or by both fine and imprisonment in the discretion of the court.

331. SEC. 5. If the existence of the nuisance be established in an action as provided in this act, an order of abatement shall be entered as a part of the judgment in the case, which order shall direct the removal from the building or place of all furniture or contents used in conducting the nuisance, and shall direct the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of one year, unless sooner released by said court. If any person shall break and enter or use a building or place so directed to be closed, he shall be punished as for contempt as provided in the preceding section. For removing and selling the movable property, the officer shall be entitled to charge and receive the same fees as he would for levying upon and selling like property on execution, and for closing the premises and keeping them closed, a reasonable sum shall be allowed by the court. Any person found guilty of maintaining a nuisance under the provisions of this act shall forfeit the benefit of all property exemptions so far as the satisfaction of the order, decree or writ of said court requires the same and the taking and disposition of any property of the defendant or defendants by virtue of such order, decree or writ by any officer directed to execute the same shall not be deemed a trespass, nor shall such officers be liable either civilly or criminally therefor, provided a proper return of such order, decree or writ and accounting for such property shall have

been made to the court within ten days after such order, decree or writ, has been executed.

332. SEC. 6. The proceeds of the sale of the personal property, as provided in the preceding section, shall be applied in payment of the costs of the action and abatement, and the balance, if any, shall be paid to the defendant.

333. SEC. 7. If the owner of such building or place pays all costs of the proceeding, and files a bond with sureties approved by the circuit judge in the full value of the property, conditioned that he will immediately abate said nuisance and prevent the same from being established or kept therein within a period of one year thereafter, the court may order such premises to be delivered to said owner and said order of abatement cancelled so far as the same may relate to said property; and if said bond be given and costs therein paid before judgment, and order of abatement, the action shall be thereby abated as to said building only.

334. SEC. 8. The court having jurisdiction of any proceedings under this act may make such further and other order in the premises as may be agreeable to equity, as in other chancery proceedings, not inconsistent with the provisions hereof; and the rules of procedure and evidence not herein otherwise prescribed, authorized or customary in chancery courts, shall apply in all cases brought under this act.

Approved May 18, 1915.

COMMISSIONER AUTHORIZED TO MAKE RULES AND REGULATIONS.

(House Enrolled Act No. 215, Session Laws of 1917.)

AN ACT to regulate warehouses, cold storage plants, slaughter houses and other places where articles of food are manufactured for sale, received, kept, stored, sold or offered for sale, and to provide for enforcement and inspection.

The People of the State of Michigan enact:

335. SECTION 1. It shall be unlawful to permit filthy or insanitary conditions to exist in the operation of any warehouse, cold storage plant, slaughter house or other place within this State in which food intended for human consumption is manufactured for sale, slaughtered, received, kept, stored, sold or offered for sale, and it shall further be unlawful to place, receive or keep, or distribute in or from any warehouse, cold storage plant, slaughter house, store or other place where food products intended for human consumption are kept, any article intended for sale as food if same is diseased, decomposed, putrid, infected or tainted.

336. SEC. 2. The Dairy and Food Commissioner shall make necessary rules and regulations to carry into effect all legislative enactments pertaining to the manufacture for sale, receiving, keeping, storing, selling or offering for sale of food products intended for human consumption,

and such commissioner, his deputy or inspectors shall, for the purposes of inspection, and to take samples for analysis, have right to entrance to warehouses, cold storage plants, slaughter houses and other places where food products are manufactured for sale, placed, received, kept, stored, sold or offered for sale.

INSPECTION OF ANIMALS, SLAUGHTER HOUSES, ETC.

(Act No. 120, Public Acts of 1903.)

AN ACT to provide for the inspection of animals intended for meat supplies, and of meat intended for consumption in cities, villages and townships; to regulate slaughter-houses and meat markets; to license the sale of meats in cities, villages and townships, to provide for public abattoirs therein and to regulate the use thereof.

The People of the State of Michigan enact:

337. SECTION 1. Any city or village in this State may appoint an inspector or inspectors of animals and meat supplies intended for human consumption therein, license the sale thereof, provide for the regulation of slaughter-houses wherein such animals intended for use as human food in such city or village are slaughtered, and the markets and places where meat intended for consumption as human food is kept or offered for sale within such city or village, the vehicle in which such meat is transported, or from which same is sold, offered for sale or disposed of for said purpose; and cause to be erected and maintained a public abattoir therein and regulate the use thereof.

338. SEC. 2. No person or persons shall vend or offer for sale in any city or village having an inspector of meats as provided by this act, any meat intended for human consumption, whether slaughtered within such city or village or elsewhere, unless licensed so to do by the board of health of such city or village. Any person or persons desiring so to do may apply to the board of health of such city or village for a license; but the clerk shall not issue same until the applicant therefor presents a statement in writing signed by him which shall state fully and explicitly:

- (a) The name and residence of said applicant;
- (b) The exact location or place from which said applicant obtains his meats, whether slaughtered by himself in whole or in part;
- (c) The manner in which said applicant intends to dispose of his meats when licensed;
- (d) A written consent granting permission to the meat inspector, the health officer or his representative, or any member of the board of health, the mayor or any alderman of said city, or the president and trustees of said village free and open access to the slaughter-house in which he proposes to slaughter and the market or vehicle owned, leased or occupied by him from which his meat is sold, for the purpose of making inspection of the said premises, market or vehicle. Blanks

for such applications shall be furnished by the clerk. Each applicant for a license shall also stipulate in writing that he will faithfully conform and cause the slaughter-house, market or vehicle owned, leased or occupied by him to comply in all respects with the requirements of the ordinance of said city or village enacted under the provisions of this act, and pay such license fee as shall be prescribed therein. The city or village clerk shall not issue any such license until the meat inspector shall have examined into the sanitary condition and cleanliness of the slaughter-house to be used by the applicant, or the market where his meat is to be sold, or the vehicle in which it is to be transported or from which it is to be sold or offered for sale, and shall certify that same comply with the requirements of the ordinance in force therein. The mayor of said city or president of said village may at any time revoke and suspend any license issued pursuant thereto if, upon investigation and report of the meat inspector and after hearing the holder of such license summarily, he shall find the condition of the slaughter-house where meat is slaughtered, or the market or vehicle or the meat offered for sale to be in violation of the provisions of said ordinance filthy or detrimental to the public health; which revocation shall continue until such person shall have fully complied with the requirements of this act and the provisions of the said ordinance. This section shall apply to slaughter-houses whether situated within or without the city or village limits.

339. SEC 3. Each city or village having a meat inspector under the provisions of this act shall establish by ordinance such tests and requirements in conformity herewith as are necessary for the purpose of excluding from within its limits for sale or use as human food any diseased or unwholesome meat, meat which has been prepared, dressed or stored in an insanitary or filthy place, or handled or transported in any insanitary or filthy manner; and each city or village shall authorize and empower its inspector or inspectors to enforce such tests and requirements, and shall provide and enforce suitable penalties for the violation of any provisions of such ordinance.

340. SEC. 4. Any city or village having enacted an ordinance under the provisions of this act shall immediately appoint a person qualified by education and experience to properly perform the duties of the office of inspector, who shall hold his office for one year and until his successor is appointed and qualified, and such deputies with like qualifications as may be necessary, who shall hold office for a like term; and such inspector and all deputy inspectors shall take an oath of office to faithfully and impartially discharge all the duties thereof. The inspector shall promptly report to the city or village attorney, or to the proper prosecuting officer for prosecution every violation of the ordinance in force in such city or village under the provisions of this act, and shall also report to the board of health of said city or village, at least monthly, in detail, all inspections made by him and all violations of said ordinance.

341. SEC. 5. Any city or village having enacted an ordinance under the provisions of this act shall specify the following requirements for all slaughter-houses within its limits:

(a) No slaughtering shall be done in barns, sheds, or other buildings not designed and not suitable for slaughtering animals and for the handling, dressing and cooling of meats; nor shall any slaughtering be done outside of a building;

(b) All slaughter-houses shall have an abundant supply of water from a well or other source which is not contaminated from the slaughter-house or surrounding pens or enclosures, or any part of the premises; and which may be applied with adequate pressure through a hose to any part of the room or rooms used for the purpose of slaughtering or preparing meats for consumption as human food;

(c) All slaughter-houses shall have suitable floors and sub-drainage with proper sewer connections, which floors shall be thoroughly washed off each day after the slaughtering is completed;

(d) The walls and all exposed surfaces on the inside of slaughter-houses shall be cleansed by washing or scraping as often as once in each month, and if the surfaces are not painted they shall be calcimined or whitewashed at least once a month;

(e) Cooling and store rooms for meat shall be properly ventilated;

(f) All offal and refuse shall be removed from the slaughter-house on the day of slaughtering, and disposed of in a decent and sanitary manner;

(g) All animals kept in yards attached to slaughter-houses shall be treated in a humane manner, and, if kept there over twelve hours, shall be fed and watered;

(h) All pens or enclosures connected with any slaughter-house shall be kept in a proper sanitary condition.

342. SEC. 6. Any city or village having a meat inspector under the provisions of this act shall refuse to permit to be brought within its limits to be sold or offered for sale therein any meat from any slaughter-house situated outside its limits whose owner, lessee or occupant has not conformed to the requirements specified in section five of this act, and the provisions of the ordinance enacted by said city or village pursuant to this act and in force therein.

343. SEC. 7. Any city or village having an inspector under the provisions of this act shall appropriate out of its general funds such sums of money as shall be deemed proper for the salary of the inspector and his deputies, and in addition thereto, may apply the license fee and any fees accruing from the inspection of animals and meats, to be paid thereunder for that purpose, or require said fees to be covered into the city or village treasury.

344. SEC. 8. All deputy inspectors shall have the same powers and perform all the duties devolving upon the inspector under his direction and superintendence, except that they shall make all reports required by this act to the inspector, by whom the same shall be reported as hereinbefore provided.

345. SEC. 9. All meat which has been inspected by federal authority shall not be subject to local inspection, except as to the market, vehicle or place at or from which it is sold or offered for sale and as to changes, decomposition, etc.

346. SEC. 10. In all prosecutions for violation of any ordinance enacted pursuant to this act the fact that any meat is found in any slaughter-house, market or vehicle within such city or village shall be presumptive evidence that the same was intended for use as human food.

347. SEC. 11. No slaughter-house shall be established or maintained nearer to the limits of any city or village than is prescribed by the law

in this State: Provided, however, Any city or village having enacted and in force, an ordinance pursuant to this act may cause to be erected and maintain a public abattoir in which all animals intended for human food within said city or village may be slaughtered, regulate the use thereof, and the terms upon which same may be used: Provided further, That nothing in this act shall be construed to prevent any farmer from killing, dressing and selling, in the open market, unless diseased, any animal or fowl intended for food that he has raised, fed or slaughtered, nor any dealer or merchant from buying or selling the same.

Approved March 14, 1903.

DECEPTIVE ADVERTISING.

(House Enrolled Act No. 233, Session Laws of 1917.)

AN ACT to regulate advertising, and to repeal act number two hundred seventy-six of the Public Acts of nineteen hundred thirteen, being compilers' section fifteen thousand forty-nine of the Compiled Laws of nineteen hundred fifteen.

The People of the State of Michigan enact:

348. SECTION 1. Any person, firm, corporation or association, who with intent to sell or in anywise dispose of merchandise, securities, service, or anything offered by such person, firm, corporation or association, directly or indirectly, to the public for sale or distribution, or with intent to increase the consumption thereof, or to induce the public in any manner to enter into any obligation relating thereto or any interest therein, makes, publishes, disseminates, circulates or places before the public, or causes directly or indirectly to be made, published, disseminated, circulated or placed before the public in this State, in a newspaper or other publication or in the form of a book, notice, handbill, poster, bill, circular, pamphlet or letter, or in any other way, an advertisement of any sort regarding merchandise, securities, service, or anything so offered to the public, which advertisement contains any assertion, representation or statement which is untrue, deceptive or misleading, or intended to subject any person to disadvantage or injury through the publication of false or deceptive statements, shall be guilty of a misdemeanor, and shall be liable to a fine of not less than ten dollars or more than one hundred dollars for each offense: Provided, however, That the provisions of this act shall not apply to any owner, publisher, printer, agent or employe of a newspaper or other publication, periodical or circular, who, in good faith and without knowledge of the falsity or deceptive character thereof, publishes, causes to be published, or takes part in the publication of such advertisement.

349. SEC. 2. Act number two hundred seventy-six of the Public Acts of nineteen hundred thirteen, being compilers' section fifteen thousand forty-nine of the Compiled Laws of nineteen hundred fifteen, is hereby repealed.

STANDARD FOR BASKETS.

(House Enrolled Act No. 47, Session Laws of 1917.)

AN ACT to fix standards for climax baskets for grapes and other fruits and vegetables, and to fix standards for baskets and other containers for small fruits, berries, and vegetables, and to punish violations of the same.

The People of the State of Michigan enact:

350. SECTION 1. That standards for climax baskets for grapes and other fruits and vegetables shall be the two-quart basket, the four-quart basket, and twelve-quart basket, respectively.

(a) The standard two-quart climax basket shall be of the following dimensions: Length of bottom piece, nine and one-half inches; width of bottom piece, three and one-half inches; thickness of bottom piece, three-eighths of an inch; height of basket, three and seven-eighths inches, outside measurement; top of basket, length eleven inches and width five inches, outside measurement. Basket to have a cover five by eleven inches, when a cover is used;

(b) The standard four-quart climax basket shall be of the following dimensions: Length of bottom piece, twelve inches; width of bottom piece, four and one-half inches; thickness of bottom piece, three-eighths of an inch; height of basket, four and eleven-sixteenths inches, outside measurement; top of basket, length fourteen inches, width six and one-fourth inches, outside measurement. Basket to have covers six and one-fourth inches by fourteen inches, when cover is used;

(c) The standard twelve-quart climax basket shall be of the following dimensions: Length of bottom piece, sixteen inches; width of bottom piece, six and one-half inches; thickness of bottom piece, seven-sixteenths of an inch; height of basket, seven and one-sixteenth inches, outside measurement; top of basket, length nineteen inches, width nine inches, outside measurement. Basket to have cover nine inches by nineteen inches, when cover is used.

351. SEC. 2. That the standard basket or other container for small fruits, berries, and vegetables shall be of the following capacities: namely, dry one-half pint, dry pint, dry quart, or multiples of the dry quart.

(a) The dry half pint shall contain sixteen and eight-tenths cubic inches;

(b) The dry pint shall contain thirty-three and six-tenths cubic inches;

(c) The dry quart shall contain sixty-seven and two-tenths cubic inches.

352. SEC. 3. That it shall be unlawful to manufacture for shipment, or to sell within the State any climax baskets or other containers for small fruits, berries, or vegetables, whether filled or unfilled, which do not conform to the provisions of this act; and any person guilty of a wilful violation of any of the provisions of this act shall be deemed

guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding twenty-five dollars: Provided, That nothing herein contained shall apply to the manufacture, sale, or shipment of climax baskets, baskets or other containers for small fruits, berries, and vegetables when intended for export to foreign countries when such climax baskets, baskets or other containers for small fruits, berries, and vegetables accord with the specifications of the foreign purchasers or comply with the law of the country to which shipment is made or to be made.

353. SEC. 4. That the examination and test of climax baskets, baskets, or other containers or small fruits, berries, and vegetables, for the purpose of determining whether such baskets or other containers comply with the provisions of this act, shall be made by the Dairy and Food Department, and the Dairy and Food Commissioner shall establish and promulgate rules and regulations allowing such reasonable tolerances and variations as may be found necessary.

354. SEC. 5. That it shall be the duty of each prosecuting attorney, to whom satisfactory evidence of any violation of the act is presented, to cause appropriate proceedings to be commenced and prosecuted in the proper courts of the State for the enforcement of the penalties as in such case herein provided.

355. SEC. 6. That no dealer shall be prosecuted under the provisions of this act when he can establish a guaranty signed by the manufacturer, wholesaler, jobber, or other party residing within the United States from whom such climax baskets, baskets, or other containers, as defined in this act, were purchased, to the effect that said climax baskets, baskets, or other containers are correct within the meaning of this act. Said guaranty, to afford protection, shall contain the name and address of the party or parties making the sale of climax baskets, baskets, or other containers to such dealer, and in such case said party or parties shall be amenable to the prosecutions, fines and other penalties which would attach in due course to the dealer under the provisions of this act.

356. SEC. 7. That this act shall be in force and effect from and after the first day of November, nineteen hundred seventeen.

(House Enrolled Act No. 48, Session Laws of 1917.)

AN ACT to fix standards for apples, grown in this State when packed in closed packages, and to regulate the packing and sale of such apples.

The People of the State of Michigan enact:

357. SECTION 1. The standard grades for apples grown in this State when packed in closed packages shall be as follows:

First, "Michigan Standard Fancy" shall consist of hand-picked, properly packed apples of one variety, which are well-grown specimens, normal in shape, uniform in size, of good color for the variety, and which are free from dirt, insect injury, fungus disease, bruises, and other defects, except

such as are necessarily caused in the operation of packing. "Uniform size" shall be construed to mean that apples contained in any one package shall not vary in size more than one-half inch in diameter;

Second, "Michigan Standard A" shall consist of hand-picked, properly packed apples of one variety, which are well grown specimens, normal in shape, of not less than fifty per centum of good color for the variety, and which are practically free from dirt, insect injury, fungus disease, bruises and other defects, except such as are necessarily caused in the operation of packing.

Third, "Michigan Standard B" shall consist of hand-picked, properly packed apples of one variety, which are well grown, and practically free from insect injury and fungus disease: Provided, That the apples having healed-over insect punctures, small scab or blotch infections, fruit spots, or other defects which, taken singly or collectively, do not materially deform or discolor the fruit or injure its keeping quality, shall be admitted to this grade;

Fourth, "Michigan Unclassified" shall consist of apples which do not conform to the foregoing specifications of grade, or which though conforming, are not branded in accordance therewith.

358. SEC. 2. In the interpretation of this act a tolerance of six per centum below the standard shall be allowed in the Standard Fancy grade, ten per centum in the Standard A grade, and fifteen per centum in the Standard B grade. Such tolerances shall apply to size, color and other grade specifications and shall be computed by counting or weighing the specimens which are judged to be below the standard for the grade in any respect, and those which are found to be smaller than the minimum size, marked on the package.

359. SEC. 3. In all of the grades specified in this act, the apples included in the face or shown surface shall fairly represent the size and quality of the apples in the package.

360. SEC. 4. Every closed package containing apples grown in the State of Michigan which is sold, offered or consigned for sale, packed for sale, or shipped for sale, shall bear upon the outside of one end in plain letters or figures, or both, the name and address of the person by whose authority the apples were packed, the true name of the variety, the grade of the apples therein contained when packed or repacked, and the minimum size or the numerical count of the fruit in the package. If the true name of the variety is not known to the packer or the person by whose authority the apples are packed or branded, when such varieties shall be designated as "unknown." Every package of apples which is repacked shall also bear upon the same end of the package the name and address of the person by whose authority it is repacked, such name and address to be preceded by the words "repacked by." The letters and figures used in marking or branding closed packages of apples under the provisions of this act shall be of a size not less than twenty-four point Gothic: Provided, That closed packages containing apples which cannot be readily marked on one end, so as to bear conspicuously the information herein specified shall be marked or branded in such other conspicuous place as may be prescribed by the regulations promulgated hereunder.

361. SEC. 5. The marks and brands prescribed in this act may be accompanied by any additional marks or brands which are not inconsis-

tent with or do not in any way obscure the marks and brands required by this act. Apples packed and branded in accordance with the United States apple grading law, approved August third, nineteen hundred twelve, shall be exempt from the provisions of this act.

362. SEC. 6. The minimum size of the fruit in all grades shall be determined by taking the transverse diameter of the smallest fruit in the package. Minimum sizes shall be stated in variations of one-quarter of an inch, as two inches, two and one-quarter inches, two and one-half inches, two and three-quarter inches, three inches, three and one-quarter inches, and so on, in accordance with facts. Minimum sizes may be designated by either figures or words and the word "minimum" may be designated by the use of the abbreviation "min."

363. SEC. 7. It shall be unlawful for any person to pack for sale, ship for sale, offer or consign for sale, or sell, in closed packages, any apples grown in this State which are not graded, packed and marked or branded in accordance with the provisions of this act and the regulations made hereunder, or closed packages of apples bearing any false statement, design, or device regarding such apples within the meaning of this act.

364. SEC. 8. Any person who violates any of the provisions of this act, or of the regulations promulgated hereunder, shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than fifty dollars for the first offense and not more than one hundred dollars for each subsequent offense: Provided, That no person shall be prosecuted under this act who can establish satisfactory evidence that no part of the packing or branding of the apples concerned was done by him or under his authority and that he had no knowledge that they were not packed and branded in accordance with said provisions and said regulations.

365. SEC. 9. The word "person" as used herein shall be construed to include individuals, corporations, partnerships, and associations. The act, commission or failure of any official or employe of any person, when such official or employe is acting within the scope of his employment or office, shall, in every case, be deemed also the act, omission or failure of the person, as well as of the official or employe. The words "closed package" shall mean a box, barrel, basket, or other package, the contents of which cannot be inspected when such package is closed.

366. SEC. 10. It shall be the duty of the Dairy and Food Commissioner to diligently enforce the provisions of this act and his officers, employes and agents are authorized to enter upon the premises of any person within this State for the purpose of inspecting packages of apples and securing evidence of violation of this act, and the said Dairy and Food Commissioner is hereby authorized and empowered to make, promulgate and enforce such regulation as may be necessary for interpreting the grade specifications prescribed in this act, and for otherwise enforcing its provisions: Provided, however, That any grades or classes of apples packed in closed packages, or any requirements for making closed packages containing apples, mandatory as applying to interstate commerce, which may hereafter be established by the authority of the Congress of the United States, shall forthwith, as far as applicable, be established and promulgated by the Dairy and Food Commissioner as

official grades, classes and marks for apples packed in closed packages in the State of Michigan.

367. SEC. 11. All acts and parts of acts in conflict with this act are hereby repealed.

(House Enrolled Act No. 62, Session Laws of 1917.)

AN ACT to fix the standard barrel for fruits, vegetables, and other dry commodities.

The People of the State of Michigan enact:

368. SECTION 1. The standard barrel for fruits, vegetables, and other dry commodities other than cranberries shall be of the following dimensions when measured without distention of its parts: Length of staves, twenty-eight and one-half inches; diameter of heads, seventeen and one-eighths inches; distance between heads, twenty-six inches; circumference of bulge, sixty-four inches, outside measurement; and the thickness of staves not greater than four-tenths of an inch: Provided, That any barrel of a different form having a capacity of seven thousand fifty-six cubic inches shall be a standard barrel. The standard barrel for cranberries shall be of the following dimensions when measured without distention of its parts: length of staves, twenty-eight and one half-inches; diameter of heads, sixteen and one-fourth inches; distance between heads, twenty-five and one-fourth inches; circumference of bulge, fifty-eight and one-half inches, outside measurement; and the thickness of staves not greater than four tenths of an inch.

369. SEC. 2. It shall be unlawful to sell, offer, or expose for sale in this State, or to ship from this State, to any other state, territory, or the District of Columbia or to a foreign country, a barrel containing fruits or vegetables or any other dry commodity of less capacity than the standard barrels defined in the first section of this act, or subdivisions thereof known as the third, half, and three-quarter barrel, and any person guilty of a wilful violation of any of the provisions of this act shall be deemed guilty of a misdemeanor and be liable to a fine not to exceed one hundred dollars, in any court of this State having jurisdiction: Provided, however, That no barrel shall be deemed below standard within the meaning of this act when shipped to any foreign country and constructed according to the specifications or directions of the foreign purchaser if not constructed in conflict with the laws of the foreign country to which the same is intended to be shipped.

370. SEC. 3. Reasonable variations shall be permitted and tolerance established by rules and regulations made by the director of the bureau of standards and approved by the Secretary of Commerce. Prosecutions for offenses under this act may be begun upon complaint of local sealers of weights and measures or other officer of the State appointed to enforce the laws of the said State, relating to weights and measures: Provided, however, That nothing in this act shall apply to barrels used in packing or shipping commodities sold exclusively by weight or numerical count.

371. SEC. 4. This act shall be in force and effect from and after the first day of September, nineteen hundred seventeen.

372. SEC. 5. An act entitled "An act to regulate the size of dry or packing barrels for fruits, roots and vegetables," being section six thousand two hundred fifty-four of the Compiled Laws of nineteen hundred fifteen, be and the same is hereby repealed.

(House Enrolled Act No. 64 Session Laws of 1917.)

AN ACT to provide sanitary regulations for the shipment of dressed beef, calves, sheep and hogs, and to provide penalties for violations.

The People of the State of Michigan enact:

373. SECTION 1. Hereafter all dressed calves, sheep, hogs and beeves, or any portion of the same, when being shipped or transported by freight or express, shall be kept in a clean and sanitary manner. Any carcass or any portion thereof, which shall be transported in any car, shall when practicable be hung in such car, during such transportation. Such carcass, when tendered for shipment, shall be covered with clean covers of cloth of such texture as to exclude all dirt and dust: Provided, This shall not apply to carcasses shipped with the hides left on.

374. SEC. 2. Any person or persons, firm or corporation, violating any of the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be subject to a fine of not more than one hundred dollars, or by imprisonment for a term of not more than three months, or by both such fine and imprisonment in the discretion of the court.

375. SEC. 3. It shall be the duty of the State Dairy and Food Commissioner to enforce the provisions of this act.

MICHIGAN SUPREME COURT.

DECISIONS RELATIVE TO DAIRY AND FOOD LAWS.

PEOPLE v. SNOWBERGER.

(Opinion filed May 25, 1897.)

Adulteration of Food—Statutory Offenses—Intent—Police Power.

1. It is competent for the legislature under the police power, to provide for the protection of the public health by making it an offense punishable by fine and imprisonment to sell adulterated food or drink, irrespective of the seller's knowledge of the adulteration.
2. Act No. 193, Public Acts 1895, prohibits the manufacture or sale of adulterated articles of food or drink, and prescribes what shall be deemed adulteration within the meaning of the act. Section 8 forbids any person from *knowingly* offering for sale cheese which is falsely labeled; this being the only case in which knowledge is expressly made an element of an offense designated by such statute. *Held*, that proof of guilty knowledge or intent is not essential to the conviction of one who sells adulterated food.

(113 Mich. 86.)

Exceptions before judgment from Monroe; Kinne, J.

Michael Snowberger was convicted of selling adulterated food, in violation of Act No. 193, Public Acts of 1895.

Conviction affirmed.

William Look and Ira G. Humphrey, for appellant.

Bowen, Douglas & Whiting, of counsel.

Willis Baldwin, Prosecuting Attorney, for the people.

Long, C. J.: Respondent was convicted under an information charging that: "On the 19th day of April, A. D. 1897, at the city of Monroe, and in the county aforesaid, Michael Snowberger did offer for sale, and sell, to Carl Franke, an adulterated article of food, to wit: A quantity of mustard, to wit a quarter of a pound colored and adulterated with tumeric, whereby the said mustard, as an article of food, was damaged and its inferiority concealed and whereby it was made to appear of better and of greater value than it really was, the same not being a mixture or compound recognized as ordinary articles or ingredients of articles of food; contrary to the form of the statute in such case made and provided," etc.

The information was filed under Act No. 193, Public Acts 1895, entitled "An act to prohibit and prevent adulteration, fraud and deception in the manufacture and sale of articles of food and drink." The act provides:

Section 1. "No person shall within this State manufacture for sale, offer for sale, or sell any article of food which is adulterated within the meaning of this act."

Section 2. "The term food as used herein, shall include all articles used for food or drink, or intended to be eaten or drunk by man, whether simple, mixed or compound."

Section 3. "An article shall be deemed to be adulterated within the meaning of this act: One, If any substance or substances have been mixed with it so as to lower or depreciate or injuriously affect its quality, strength or purity; Two, If any inferior or cheaper substance or substances have been substituted wholly or in part for it; Three, If any valuable or necessary constituent or ingredient has been wholly or in part abstracted from it; Four, If it is sold under the name of another article; Five, If it consists wholly or in part of a diseased, decomposed, putrid, infected, tainted or rotten animal or vegetable substance or article, whether manufactured or not, or in case of milk, if it is the product of a diseased animal; Six, If it is colored, coated, polished or powdered, whereby damage or inferiority is concealed, or if by any means it is made to appear better or of greater value than it really is; Seven, If it contains an added substance or ingredient which is poisonous or injurious to health: Provided, That the provisions of this act shall not apply to mixtures or compounds recognized as ordinary articles or ingredients of articles of food, if each and every package sold or offered for sale be distinctly labeled as mixtures or compounds, and are not injurious to health."

Section 19 makes any violation of the act a misdemeanor and provides a penalty by a fine of not less than \$100 nor more than \$500, or by imprisonment in the county jail, etc.

On the trial respondent admitted, that on the 19th day of April, 1897, he, at the city of Monroe, this State, offered for sale and did sell to Carl Franke a quantity of mustard, to wit, a quarter of a pound which was afterwards found upon a chemical examination to be colored and adulterated with tumeric, whereby the said mustard as an article of food was damaged and its inferiority concealed, and it was thereby made to appear of greater and better value than it really was; the same not being a mixture or compound recognized as an ordinary article or ingredient of articles of food.

But he claimed that said article of mustard, so sold was purchased by him as a pure article in good faith, and that he believed at the time of the purchase by him and also at the time of the sale to the said Franke, that the same was pure mustard, free from any coloring and adulteration with tumeric or any other coloring or adulterant, and that no inferiority was concealed whereby it was made to appear of greater or better value than it really was; that at the time he purchased the same he asked for pure mustard and that the same was warranted to him as pure; that he did not make or cause to have made a chemical examination of the same and did not infrom himself or endeavor to ascertain the methods of determining pure from impure mustards, but relied upon the representations of his vender and the appearance of the article to the eye; and that he did not intend to violate the law.

From such conviction respondent appeals.

It is the contention of counsel for respondent that it was the intent of the legislature to provide by the act that no person should be convicted and punished for selling adulterated food or drink without showing that he knew the same to be adulterated; that the information does not charge such knowledge, and the proofs disclosed that respondent acted in good faith and in the belief that the article sold was pure and unadulterated.

The act cannot be so construed. The offense under the act consists in

selling an article intended to be eaten or drunk which is adulterated. Section 8 of the act shows conclusively that the legislature did not intend to make criminal intent or guilty knowledge a necessary ingredient of the offense. As a rule there can be no crime without a criminal intent; but this rule is not universal.

In *People v. Roby*, 52 Mich. 577 (50 Am. Rep. 270), the respondent was convicted of the offense under the statute of keeping his saloon open on Sunday. It was there said: "It is contended that to constitute an offense under the section referred to (How. Stat., Sec. 2274), there must be some evidence tending to show an intent on the part of the respondent to violate it. * * * * The section under which Roby is prosecuted makes the crime consist, not in the affirmative act of any person, but in the negative conduct of failing to keep the saloon closed. As a rule there can be no crime without a criminal intent; but this is not by any means a universal rule. One may be guilty of the high crime of manslaughter when his only fault is gross negligence, and there are many other cases where mere neglect may be highly criminal. Many statutes which are in the nature of police regulations, as this is, impose criminal penalties irrespective of any intent to violate them; the purpose being to require a degree of diligence for the protection of the public which shall render violation impossible."

Many cases are cited in that case where convictions were sustained although the element of guilty knowledge was lacking. Thus in Massachusetts a person may be convicted of the crime of selling intoxicating liquors as a beverage though he did not know it to be intoxicating.

Com. v. Boynton, 2 Allen, 160.

And of the offense of selling adulterated milk, though ignorant of its adulteration.

Com. v. Farren, 9 Allen, 489.

Com. v. Nichols, 10 Allen, 199.

Com. v. Waite, 11 Allen, 264.

Com. v. Smith, 103 Mass. 444.

In Missouri a magistrate may be liable to the penalty for performing the marriage ceremony of minors without consent of parents or guardians, though he may suppose them to be of the proper age.

Beckham v. Nacke, 56 Mo., 546.

Where the killing and sale of a calf under a specified age is prohibited there may be a conviction though the party was ignorant of the animal's age.

Com. v. Raymond, 97 Mass. 561.

In *People v. Welsh*, 71 Mich. 548, this court in speaking of *People v. Roby*, supra, said: "When a statute does not make intent an element of the offense, but commands an act to be done or omitted which in the absence of the statute might have been done or omitted without culpability, ignorance of the fact or state of things contemplated by the statute will not excuse its violation;" citing:

State v. Hartfield, 24 Wis., 60.

In the late case in this court of *Walcott v. Judge of Superior Court*, 112 Mich. 311, the relator, as prosecuting attorney of the county, filed an information against one Fred Saunders, charging him with being engaged in selling liquor without giving the bond required by the statute. The bond was fair upon its face, but one of the sureties, it appears was disqualified under section 2282dl, 3 How. Stat. The information did not allege that respondent had knowledge of this defect in the bond. The information was quashed by the court below, and the relator asked the aid of mandamus to compel the respondent to reinstate the case. It was said by this court in the majority opinion: "It was the intention of the legislature to make the execution and delivery of the prescribed bond a condition precedent to sale, and to require the person desiring to engage in the business mentioned to assume the responsibility of knowing that the bond when presented complies in all essential particulars with the law. He must know that his sureties are males, that they are resident freeholders of the township, village or city in which the business is to be carried on, that they hold none of the offices prohibited by the act and that at the time the bond is filed neither as a surety upon more than two bonds required by the act."

It appeared that one of the sureties was already upon more than two bonds; and the writ was granted compelling the respondent to reinstate the case. The case of *People v. Roby* was cited in that case in support of the proposition that intent was not an ingredient of the offense.

These regulations are under the police power in the State. Undoubtedly it was competent for the legislature to prohibit the sale of adulterated articles of food and drink. The police power of the State extends to the protection of the health as well as of the lives and property of the citizens. Generally it is for the legislature to determine what laws and regulations are needed to protect the public health and secure the public comfort and safety. If it passes an act ostensibly for the public health and thereby destroys or takes away the property of the citizen or interferes with his liberty it is for the courts to determine whether it relates to and is appropriate to promote such public health. Under the police power the conduct of individuals and the use of property may be regulated so as to interfere to some extent with the freedom of the one and the enjoyment of the other. It cannot be doubted that the legislature intended by this act to protect the public against the harmful consequences of sales of adulterated food and to the end that its purpose might not be defeated to require the seller at his peril to know that the article which he offers for sale is not adulterated.

As was said by the supreme court of Ohio in *State v. Kelly*, 54 Ohio St. 166: "If this statute had imposed upon the State the burden of proving * * * his knowledge of its adulteration, it would thereby have defeated its declared purpose."

In *State v. Smith*, 10 R. I., 260, the court, in speaking of the offense of selling adulterated milk, said: "Counsel for defendant asked the court to charge that there must be evidence of a guilty intent on the part of the defendant and of a guilty knowledge in order to convict him. Our statute in that provision of it, under which this indictment was found does not essentially differ from the statute of Massachusetts, and there previous to the enactment of our statute the supreme court had deter-

mined that a person might be convicted although he had no knowledge of the adulteration; the intent of the legislature being that the seller of milk should take upon himself the risk of knowing that the article he offers for sale is not adulterated."

Statutes in many states have been passed providing that whoever sells, or keeps or offers for sale adulterated milk or milk to which water or other foreign substance has been added shall be punished, etc. Under these statutes it has been decided many times that risk is upon the seller of knowing that the article he offers for sale is not adulterated, and that it is not necessary in an indictment under such a statute to allege or prove criminal intent or guilty knowledge.

Com. v. Smith, 103 Mass., 444.

Com. v. Warren, 160 Mass., 533.

People v. Clipperly, 101 N. Y., 634.

The same rule that no criminal intent is necessary has been held to apply under an act forbidding the sale of oleomargarine or other imitations of dairy products, unless express notice be given to the purchaser.

Bayles v. Newton, 50 N. J. L., 549.

Com. v. Gray, 150 Mass., 327.

The English rule is in keeping with the doctrine in this country on this subject.

Roberts v. Egerton, L. R., 9 Q. B., 494.

The statute not requiring knowledge on the part of the seller to make the offense complete, we are satisfied that the conviction must be sustained. No case has been cited, and we are not able to find one, where a contrary doctrine is laid down. The act may work hardship in many cases; but that question is one to be addressed to the legislature and not to the courts. As we have said, it is within the power of the legislature to pass the act making it an offense punishable with fine and imprisonment to sell adulterated food or drink, although the person selling the same has no knowledge that it is adulterated. Under this statute one making sales must do so at his peril.

The conviction is affirmed.

Grant, J., did not sit. The other justices concurred.

PEOPLE v. WORDEN GROCERY CO.

(Opinion filed December 6, 1898.)

Constitutional Law—Act to Prevent Sale of Adulterated Vinegar—Complaint—Reasonableness of Statute—Defense.

1. The title of an act reading "An act in relation to the manufacture and sale of vinegar, and to repeal Act No. 224 of the Public Acts of 1889, approved, etc., held broad enough to support an enactment to prevent deception in the sale of vinegar or to prevent adulteration of vinegar.
2. A conviction for a sale of "fermented cider vinegar," which was not up to the standard prescribed by Act No. 71, Public Acts of 1897, may be had under a complaint drawn under section 2 of the act.
3. The question as to whether the requirements of an act passed to prevent the sale of adulterated vinegar are such as to render the act unreasonable cannot be determined by the courts and does not raise a question of fact for determination by a jury.
4. Where a sample of vinegar is taken from a dealer for the purpose of testing it to see if it conforms to the standard required by law it is not necessary that a sample be left with the dealer.
5. A prosecution for a sale of vinegar in violation of Act No. 71, Public Acts of 1897, cannot be defended on the ground that the person so manufacturing or selling vinegar below the standard has no knowledge that it is not within the standard prescribed.

Error to the circuit court of Kent county; Allen, C. Adsit, J.

Appeal of the Worden Grocer Co. from a conviction of a violation of Act No. 71, Public Acts of 1897. Affirmed.

Frank A. Rodgers, Prosecuting Attorney; Benn M. Corbin, Assistant Prosecuting Attorney, for the people.

Rood & Hindman, for respondent.

Long, J.: The complaint in this cause charges that the defendant: "On February 5, 1898, did unlawfully sell and deliver to John T. Owens of Benton Harbor, Michigan, a large quantity, to wit: One barrel of vinegar which was not then and there in compliance with the provisions of Act. No. 71, Public Acts, 1897, in this, viz.: That said vinegar was sold as "fermented cider vinegar" and branded as such; that said vinegar contained less than one and three-fourths per cent by weight upon full evaporation (at the temperature of boiling water) of solids contained in the fruit from which said vinegar is fermented, to wit: One and fifty-one one-hundredths per cent of solids; and said vinegar contained less than two and a half tenths of one per cent ash or mineral matter, the same being the product of the material from which said vinegar was manufactured, to wit: Eight one-hundredths of one per cent of ash or mineral matter, against the form of the statute in such case made and provided," etc.

The cause was commenced in the police court, and, being removed to the circuit, came on to be heard before a jury. The defendant refused to plead, and counsel for defendant thereupon made a motion to quash the complaint and summons for several reasons which will hereafter be discussed. The court upon the trial directed a verdict of guilty, and the cause comes to this court on exceptions before judgment.

The title of the act reads: "An act in relation to the manufacture and sale of vinegar, and to repeal Act. No. 224 of the Public Acts of 1889, approved," etc. Sections one and two of the act, being the sections in question, provide:

"Section 1. The People of the State of Michigan enact, That no person shall manufacture for sale, offer or expose for sale, sell or deliver, or have in his possession with intent to sell or deliver, any vinegar not in compliance with the provisions of this act. No vinegar shall be sold as apple, or orchard or cider vinegar, which is not the legitimate product of pure apple juice, known as apple cider or vinegar not made exclusively of said apple cider or vinegar into which foreign substance, drugs or acids have been introduced, as may appear upon proper test, and upon said test, shall contain not less than one and three-fourths per cent, by weight, of cider vinegar solids upon full evaporation at the temperature of boiling water.

"Section 2. All vinegar made by fermentation and oxidation without the intervention of distillation shall be branded 'fermented vinegar' with the name of the fruit or substance from which the same is made. And all vinegar made wholly or in part from distilled liquor shall be branded 'distilled vinegar,' and all such distilled vinegar shall be free from coloring matter added during or after distillation and from color other from that imparted to it by distillation. And all fermented vinegar not distilled shall contain not less than one and three-fourths per cent, by weight, upon full evaporation (at the temperature of boiling water) of solids, contained in the fruit or grain from which said vinegar is fermented, and said vinegar shall contain not less than two and a half tenths of one per cent ash or mineral matter, the same being the product of the material from which said vinegar is manufactured. And all vinegar shall be made wholly from the fruit or grain from which it purports to be or is represented to be made, and shall contain no foreign substance, and shall contain not less than four per cent, by weight, of absolute acetic acid."

It appears by the testimony that the defendant, a Michigan corporation doing business at Grand Rapids, on February 5, 1898, sold a barrel of vinegar to one John T. Owens of Benton Harbor. The sale is admitted. A sample of the vinegar was taken from this barrel and analyzed by the State Analyst, Mr. Fred H. Borradaile. The correctness of this analysis is not disputed. This analysis showed that the vinegar did not comply with the requirements of the statute in that it did not contain the amount of solids nor the amount of ash or mineral matter required.

The contentions made by counsel for defendant mostly relate to the validity of the act.

1. It is contended that the title to the act does not express any object; that the act was intended to prevent deception in the sale of vinegar or to prevent adulteration of vinegar, but that no such object is expressed in the title; and that the act is therefore in conflict with section 20 of article 4, of the constitution of this State, which provides that: "No law shall embrace more than one object, which shall be expressed in its title."

We think this contention sufficiently answerable by what was said by this court in *Soukup v. VanDyke*, 109 Mich., 681. There the title was: "An act relative to justices' courts in the city of Grand Rapids." It was said: "The title is sufficient if it fairly and reasonably announces the object and that is a single one. If this requirement be observed, the legislature must determine for itself how broad and comprehensive shall be the object of a statute and how much particularity shall be employed in the title in defining it."

In *People v. Kelly*, 99 Mich. 82, the title under discussion was: "An act relative to disorderly persons, and to repeal," etc.

See also:

State v. County Judges, 2 Iowa, 280.

McAunich v. The Miss. & Mo. R. R. Co., 20 Iowa, 342.

2. Counsel contend that the complaint being drawn under section two of the act, no conviction can follow; that if any violation of the law be found, it is of section one and not of section two of the act; that, therefore, the complaint was drawn under the wrong section.

This contention cannot be sustained. It is plain from the reading of these sections that the legislature intended that all fermented vinegar should come up to the required standard, whether made from fruit or grain.

3. The defendant contends that the act is unreasonable and therefore void as beyond the police power of the State, in that the test for cider vinegar in regard to solids is arbitrary, unscientific and not calculated to accomplish the end sought by the legislature, viz.: To protect the public health against spurious vinegar; that such test is no test, because:

a. Said solids and ash are indifferent ingredients of vinegar from a hygienic standpoint.

b. Their comparative absence or presence is not an essential ingredient of pure apple cider vinegar.

c. A vinegar can be manufactured which will satisfy the requirements of the statute and yet contain no materials from apples or the product of apples.

d. A pure apple cider vinegar is frequently made which is below the requirements of the statute in solids and ash.

e. The less proportion of solids is a proof of greater purity in the vinegar and of its better keeping qualities.

These questions might very properly be addressed to the legislature, but are matters with which the court has nothing to do. It is not a part of the functions of the court to investigate the facts entering into questions of public policy merely. Under our system that power is lodged in the legislative branch of the government. It belongs to that branch to determine primarily what measures are appropriate or needful for the protection of the public morals, the public health or the public safety.

Barton v. McWhinney, 85 Ind., 481.

Mugler v. Kansas, 123 U. S. 660.

Powell v. Pennsylvania, 127 U. S. 685.

In *People v. Snowberger*, 113 Mich. 92, it was said by this court: "The act may work hardship in many cases, but that question is one to be addressed to the legislature and not to the courts."

The question of the reasonableness of the acts found in many states relative to the sale of milk below a certain standard has been frequently raised in the courts, and the acts upheld.

In *Com. v. Evans*, 132 Mass. 11, the court passing upon such a statute said: "The intention of the legislature and the practical operation of this section in connection with the third section is to provide that it shall

be unlawful to sell milk containing less than thirteen per centum of milk solids. This belongs to the class of police regulations designated to prevent frauds and to protect the health of the people, which it is within the constitutional power of the legislature to enact."

In *State v. Smyth*, 14 R. I. 100, the court said: "It was the purpose of the statute to prohibit not only the dealing in milk which had been adulterated but also in milk of such inferior quality as to fall below the standard named in section three. It is equally a fraud on the buyer whether the milk which he buys was originally good and has been deteriorated by the addition of water or whether in its natural state it is so poor that it contains the same proportion of water as that which has been adulterated." See also:

State v. Newton, 45 N. J. L., 469.
Bertholf v. O'Reilly 74 N. Y., 509.
State v. Campbell, 64 N. H., 403.
10 Am. St. Rep. 419.

But counsel contended that the reasonableness of this act is a question of fact for the jury to determine from the expert chemical evidence.

This question is neither for the court nor the jury to determine. In *People v. Clipperly*, 101 N. Y. 634, that very question was discussed and decided adversely to the claim here. It was said: "The defendant takes the broader ground that the legislature cannot under the constitution prohibit the sale of milk drawn from healthy cows which in its natural state falls below standard fixed by the act, unless such milk, or the articles made from it are in fact unwholesome or dangerous to public health. How is that question of fact to be determined? The court cannot take judicial notice whether milk below the standard is or is not unwholesome or dangerous to public health. Is that to be a question for the jury? If so, the court must charge the jury in each case that if they find milk below that standard to be unwholesome, then the statute is constitutional. if they find it to be wholesome, then the statute is unconstitutional. Evidently a constitutional question cannot be settled, or rather, unsettled in that way. The constitutionality would vary with the varying judgments of juries."

In the emery wheel case before us, in *People v. Smith*, 108 Mich. p. 534, a somewhat similar case was discussed. It was said: "If the courts find the plain provisions of the constitution violated, or if it can be said that the act is not within the rule of necessity in view of the facts of which judicial notice may be taken, then the act must fall; otherwise it should stand."

See also:

People v. Girard, 145 N. Y., 109.
(45 Am. St. Rep. 595.)

4. Counsel also contend that defendant was not allowed, nor could it obtain, a sample of the vinegar in question for analysis, and was deprived of the right to produce evidence as to the amount of solids in the vinegar; and was thus deprived of property without due process of law.

The record shows that the defendant was not prevented from getting a sample of the vinegar by any person interested in the prosecution of

the suit. The record shows that the only effort it made to get such sample was a letter written to Mr. Owens who had bought and paid for the vinegar, requesting him to return it, to which the defendant received no reply, and it does not appear that Mr. Owens had any of the vinegar left at that time. No sample was left with the defendant by the prosecution; nor was this necessary.

Com. v. Coleman, 157 Mass., 460.

5. This statute forbids the manufacture and sale of vinegar not in compliance therewith; and persons manufacturing or selling vinegar below the standard do so at their peril. It is no defense that the person so manufacturing or selling vinegar below the standard has no knowledge that it is not within the standard prescribed.

People v. Snowberger, 113 Mich. 86; 71 N. W. R., 497.

We have examined the other questions raised, but do not deem it necessary to discuss them. They relate mostly to offers of testimony which the court below ruled out; and, we think, properly.

The testimony was uncontradicted that the vinegar sold was not in compliance with the statute. The sale was admitted.

The court was not in error in directing the verdict. The conviction must be affirmed.

Grant, C. J., did not sit. The other justices concurred.

PEOPLE v. DETTENTHALER.

GROSVENOR v. JACKSON CIRCUIT JUDGE.

(Opinions filed December 6, 1898.)

Constitutional Law—Passage of Act Without Enactment Clause—Constitutional Provision Mandatory—Addition of Clause by Governor—
Act 76, Laws of 1897, Invalid.

1. The provision in the Michigan State constitution, found in Sec. 48 of Art. IV., that all laws shall be styled, "The People of the State of Michigan enact," is mandatory and the passage of an act without the enactment clause renders the act invalid.
2. The addition of the enacting clause by the Governor before affixing his signature will not render the law valid which was passed without an enactment clause.
3. Act No. 76, Laws of 1897, being "An act to prevent deception in the manufacture and sale of imitation butter" held to be invalid because of the passage of the act without an enactment clause was not rendered valid by the addition of such clause by the Governor before affixing his signature to the act.

Error to the superior court of Grand Rapids; Edwin A. Burlingame, judge.

Exceptions taken by Frank J. Dettenthaler from a conviction of a violation of the pure food law.—Reversed and no new trial.

Frank D. Rogers, Prosecuting Attorney, (Rogers, McDonald & Corwin of counsel), for the people.

Root & Hindman, and E. F. Sweet, for respondent.

Certiorari by Elliot O. Grosvenor, Dairy and Food Commissioner, to review the action of the Jackson circuit judge in denying a mandamus. Affirmed.

John G. Hawley and Benn M. Corwin, for relator.

Rood & Hindman and E. F. Sweet, for respondent.

Hooker, J.: These cases involve the validity of Act No. 76, Public Acts, 1897, which is as follows:

"An act to prevent deception in the manufacture and sale of imitation butter."

Section 1. The People of the State of Michigan enact, That no person, by himself or his agents, or servants, shall render or manufacture, sell, offer for sale, expose for sale, or have in his possession with intent to sell, any article, product or compound made wholly or in part out of any fat, oil or oleaginous substance or compound thereof, not produced from unadulterated milk or cream from the same, which shall be in imitation of yellow butter produced from pure unadulterated milk or cream from the same: Provided, That nothing in this act shall be construed to prohibit the manufacture, or sale of oleomargarine in a separate and distinct form, and in such manner as will advise the consumer of its real character, free from coloration or ingredient, that causes it to look like butter.

Sec. 2. Whoever violates any of the provisions of section one (1) of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty dollars, nor more than five hundred dollars, and the costs of prosecution, or by imprisonment in the county jail, or State House of Correction and Reformatory at Ionia, for not less than six months nor more than three years, or by both such fine and imprisonment in the discretion of the court for each and every offense.

Approved April 15, 1897.

The evidence in the first entitled cause shows that the defendant was convicted of the alleged offense of selling oleomargarine in contravention of this act.

In the other a complaint was made of a similar act to a justice, who refused to issue the warrant, and on application the circuit court denied a mandamus to compel it. The cases raise substantially the same questions, and were argued, and will be considered together. The validity of the law is questioned. The record shows that this was a senate bill and passed the senate without the constitutional enacting clause. The records of the house show that the bill was reported by the committee on agriculture and the committee of the whole, without amendment, and without the recommendation that it be passed. Under the head of "third reading of bills upon passage," the record of the house shows that "pending the third reading of the bill, Mr. Chamberlain moved that the bill be recommitted to the committee of the whole, which motion did not prevail. The bill having been read a third time, and the question being upon its passage pending the taking of the vote, Mr. Graham demanded the previous question. The demand was seconded. The question being, 'Shall the main question be now put?' The same was ordered. The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows: * * * yeas 56,

nays 19." As this is the only time the bill was before the house, we must find that the bill passed the house without an enacting clause, unless the contrary can be shown by other evidence. Counsel undertook to show that it was amended in this particular, by the records of the senate, and the testimony of the clerk of the house. The evidence is in brief, that previous to the passage of the bill in the house the clerk noticed the absence of the enacting clause, and brought it to the attention of the house, and said that he would enter one, and accordingly wrote the words in the original bill, i. e., the one which was then before the house. He did not testify that the house took any action upon it, or that any record was made of it.

The senate record shows that the bill was subsequently returned to the senate, accompanied by a letter from the clerk of the house, reading as follows:

"House of Representatives.
"Lansing, April 7, 1897.

"To the president of the Senate:

"Sir—I am instructed by the House to return to the Senate the following bill: Senate bill No. 6 file No. 24 entitled:

"'A bill to prevent deception in the manufacture and sale of imitation butter' and to inform the Senate that the House has amended the same as follows: By inserting in line 1, Section 1, after the words 'Section 1,' the words 'The People of the State of Michigan enact.'"

"Very respectfully,
"LEWIS M. MILLER,
"Clerk of the House of Representatives.

"In the passage of which, as thus amended, the House has concurred by a majority vote of all the members elect."

It further appears that the senate concurred in such amendment.

We must determine, therefore, whether the house is shown to have amended the bill by inserting an enacting clause and if not whether the law is valid without it.

The most that can be claimed is that there is oral testimony, that the clerk announced its absence and stated that he would supply it. Inferentially perhaps we may say that there was no objection made, but the evidence is silent as to what, if anything, occurred. There is nothing but this inference of silence which imports acquiescence in the amendment. There is nothing to show definite action by the house which alone had power to amend the bill before it. So that if the clause is essential to the validity of the act we need not discuss the propriety of admitting parol evidence to prove an amendment which should be shown by the record if one was authorized.

See Attorney General v. Rice, 64 Mich., 391.
Hart v. McElroy, 72 Mich., 446.
Sackrider v. Supervisors,, 79 Mich., 66.

Is the constitutional enacting clause a requisite to a valid law? This must depend upon whether the constitutional provision is to be considered a mandatory provision or directory merely.

See Constitution, Art. IV., Sec. 48.

Among the authorities cited by the relator in support of his contention,

is that of *Swan v. Buck*, 40 Miss. 268. The constitutional provision is similar to ours, and it was held that a substantial compliance was sufficient. In that case the style of the resolution was: "Resolved by the legislature of the State of Mississippi." The court was unable to discover a previous judicial decision of the question, but quoted Mr. Cushing to the effect that the prescribed "form must be strictly pursued, and that no equivalent language will be sufficient," and while declining to accept his rule said: "It is necessary that every law should show on its face the authority by which it is adopted, and promulgated, and that it should clearly appear that it is intended by the legislative power that enacts it that it should take effect as a law. These conditions being fulfilled all that is absolutely necessary is expressed. The word 'resolved,' is as potent to declare the legislative will, as the word 'enacted.'"

The case of *McPherson v. Leonard*, 29 Md. 377, held that the provision of the constitution of Maryland was directory, and that the omission of the words, "by the general assembly of Maryland," did not render the law invalid. The question appears to have been treated as a new one.

The case of *Cape Girardeau v. Riley*, 52 Mo. 427, follows the Maryland case, in holding the provision directory; the court saying that after diligent search, no case holding to the contrary had been found. In this case, like the one before us, the entire enacting clause was wanting. In this connection we may add that previous decisions of the same court, holding the provision that writs should run in the name of the state, was directory, were given weight. In our State a contrary holding will be found.

See *Forbes v. Darling*, 94 Mich., 621.

There are, however, cases which take a contrary view of the law, and adhere to the doctrine asserted by Mr. Cushing, and the late Mr. Justice Cooley, in his work on constitutional limitations, 6 Ed., p. 93, viz.:

"But the courts tread upon very dangerous ground when they venture to apply the rules which distinguish directory and mandatory statutes to the provisions of a constitution. Constitutions do not usually undertake to prescribe mere rules of proceeding except when such rules are looked upon as essential to the thing to be done; and they must then be regarded in the light of limitations upon the power to be exercised. It is the province of an instrument of this solemn and permanent character to establish those fundamental maxims and fix those unvarying rules by which all departments of the government must at all times shape their conduct, and if it descends to prescribing more rules of order in unessential matters, it is lowering the proper dignity of such an instrument, and usurping the proper province of ordinary legislation. We are not, therefore, to expect to find a constitutional provision which the people, in adopting it, have not regarded as of high importance, and worthy to be embraced in an instrument which, for a time at least, is to control alike the government and the governed, and to form a standard by which is to be measured the power which can be exercised as well by the delegate as by the sovereign people themselves. If directions are given respecting the times or modes of proceeding in which a power should be exercised, there is at least a strong presumption that the people designed it should be exercised, in that time and mode only; and we impute to the people a want of due appreciation of the purpose and proper province of such an instrument, when we infer that such directions are given to any other end. Especially when, as has already been said, it is but fair to presume that the people in their constitution have expressed themselves in careful and measured terms, corresponding with the immense importance of the powers delegated, and with a view to leave as little as possible to implication."

There are some cases, however, where the doctrine of directory statutes

has been applied to constitutional provisions, but they are so plainly at variance with the weight of authority upon the precise points considered that we feel warranted in saying that the judicial decisions as they now stand do not sanction the application.

The question arose in Washington territory over a law fixing the seat of government, and the opinion of Cushing was quoted and followed. 1 Wash. Ter. 116. The case of Nevada v. Rogers, 10 Nevada 250, decided in 1875, did the same. An extended discussion of the subject will be found in that case, in support of the proposition that the language of the constitution should be literally followed.

The opinion concludes with the following pertinent and emphatic language:

"Our constitution expressly provides that the enacting clause of every law shall be 'The people of the State of Nevada, represented in senate and assembly, do enact as follows. This language is susceptible of but one interpretation. There is no doubtful meaning as to the intention. It is, in our judgment, an imperative mandate of the people in their sovereign capacity to the legislature, requiring that all laws to be binding upon them shall, upon their face, express the authority by which they were enacted, and as this act comes to us without such authority appearing upon its face, it is not a law."

The case of the State v. Patterson, 98 N. C. 662, is strong in its condemnation of the practice of treating constitutional requirements as directory. The case of Powell v. Jackson, 51 Mich. 130, is not in point, as the bill was duly and seasonably amended, if we may accept the statement of the briefs of the counsel and the syllabus.

The trend of the weight of the authority is in our opinion against the relator's contention.

It is urged with some plausibility that the insertion of this provision previous to the signature of the Governor is a sufficient compliance with the constitution, from which we understand the claim to be made that although the enacting clause was wanting when the bill came to the Governor it might have been supplied by him. But it is thought that this proposition is tenable only upon the assumption that the constitutional provision is directory merely. The Governor has no power to make laws. The legislative power is in no part vested in him, being by Sec. 1, Article IV, of the constitution, vested in the senate and house of representatives. It is not the design of the constitution that he should legislate. His office is a check upon the legislature and he may compel a reconsideration of a bill by seasonably returning it to the appropriate house with his objections to it, and when the legislature has adjourned his neglect to sign it prevents it from becoming a law, but he has not the slightest power in framing the law. Indeed, it is a fundamental principle in American constitutions that the executive shall not make laws. The following language from the opinion in the case of State of Nevada v. Rogers, 10 Nev. 250, is apropos to this subject:

"Without the concurrence of the senate the people have no power to enact any law. Every person at all familiar with the practice of legislative bodies is aware that one of the most common methods adopted to kill a bill and prevent its becoming a law, is for a member to move to strike out the enacting clause. If such motion is carried the bill is lost. Can it be seriously contended that such a bill, with its head cut off, could thereafter by any legislative action become a law? Certainly not. The certificates of the proper officers of the senate and assembly, that such an act was passed in their respective houses, do not, and could not im-

part vitality to any act which, upon its face, failed to express the authority by which it was enacted."

This being so, the only justification for the insertion of the enacting clause by the Governor is to be found in the assumption that it is a clerical omission of an unimportant matter and it might as well be held that one of the houses, or a clerk, or even the printer of the laws, might make the corrections, as that the Governor might do it.

Some of the states have sustained laws without enacting clauses, but we do not know of one that has made their validity depend upon the unauthorized action of some officer or person. They have preferred to rest their action upon the well recognized distinction between mandatory and directory provisions. If the provision is mandatory that the law shall have a prescribed style and the making of laws is confined to the legislative branch of the government, it cannot be consistently held that omissions of essential parts of a law may be supplied and corrections made by persons without authority; and the public necessities should be much greater than in the present case, before such a proposition should be seriously considered. If on the other hand there is a warrant for treating the provision as directory, a much less dangerous precedent is established. But as has been shown, the weight of authority forbids it, and in our opinion it will be an unfortunate day for constitutional rights when courts begin the insidious process of undermining constitutions by holding unambiguous provisions and limitations to be directory merely, to be disregarded at pleasure. In the present case it will be much better that the legislature shall correct its mistake, than that the courts shall sanction the irregular correction.

We are therefore constrained to hold that the law under discussion is void, and in the certiorari case the order is affirmed, in that of Detten-thaler the conviction is reversed and no new trial ordered. The other justices concurred.

GROSVENOR v. DUFFY.

(Opinion filed September 18, 1899.)

Pure Food Law—Sale of Oleomargarine Colored to Imitate Butter—Constitutionality of Act.

The sale of oleomargarine colored with a harmless substance to imitate June butter, but which is sold and purchased as oleomargarine, is not in violation of section 3 of Act 118 of the Public Acts of 1897, being an act to prohibit and prevent adulteration, fraud and deception in the manufacture and sale of articles of food and drink.

Certiorari to review the action of the Washtenaw circuit court in refusing the application of Elliott O. Grosvenor, Dairy and Food Commissioner, for mandamus to compel John L. Duffy, justice of the peace, to issue a warrant. Affirmed.

Smedley & Corwin, for relator.

John J. Speed and J. P. Lee, for respondent.

The relator presented to a justice of the peace a complaint in writing, charging that "Casper Rinsey did unlawfully offer and expose for sale, and did unlawfully sell and deliver to said Eliot O. Grosvenor, a large quantity, to wit, one pound of oleomargarine, which was then and there an article of food intended to be eaten by man, and which was then and there adulterated within the meaning of Act No. 193 of the Public Acts of Michigan for the year 1895, as amended by Act No. 118 of the Public Acts of Michigan for the year 1897, in this, to wit: that said oleomargarine was then and there an imitation of another article of food, to wit: an imitation of a rich June butter; and said oleomargarine had been and was then and there colored whereby inferiority was concealed and by which means it was made to appear better and of greater value than it really was, to wit, in this: That it was thereby made to appear like butter of a grade which was then and there of a greater value than the said oleomargarine; that the said oleomargarine was labeled 'oleomargarine' and stamped with the sellers name; and that the tub and wrapper which contained the same bore the name and address of the manufacturer and was distinctly labeled oleomargarine."

"Said complainant on his oath aforesaid, further says, that he called for oleomargarine, and that the said oleomargarine was sold to him as oleomargarine the same as to an ordinary customer, freely and without objection, and that for this reason he did not take the steps required by section 6, Act No. 154 of the Public Acts of Michigan for the year 1897."

The justice refused to entertain the complaint and issue a warrant, whereupon the relator applied to the circuit court for Washtenaw county for a writ of mandamus to compel the justice to issue a warrant and proceed to hear the case. The circuit court refused the writ and the case is brought to this court by certiorari for review.

Grant, C. J. (after stating the facts.) The title of the act reads "An act to prohibit and prevent adulteration, fraud and deception in the manufacture and sale of articles of food and drink." Sec. 3, as amended by Act No. 118, Public Acts 1897, so far as it applies to this case, reads:

"An article shall be deemed to be adulterated within the meaning of this act: * * *

"Fourth—If it is an imitation of, or sold under the name of another article: * * *

"Sixth—If it is colored, coated, polished or powdered, whereby damage or inferiority is concealed, or if for any means it is made to appear better or of a greater value than it really is.

"Seventh—If it contains any added substance or ingredient which is poisonous or injurious to health: Provided, That nothing in this act shall prevent the coloring of pure butter; And provided further, That the provisions of this act shall not apply to mixtures or compounds recognized as ordinary articles or ingredients of articles of food, if each and every package sold or offered for sale, bear the name and address of the manufacturer and be distinctly labeled under its own distinctive name, and in a manner so as to plainly and correctly show that it is a mixture or compound, and is not in violation with definition fourth and seventh of this section."

It is not claimed that the sale made by Rinsey violates subdivision seven. The act charged in the complaint is neither adulteration, fraud nor deception under the definition of these words to be found in any dictionary. Adulteration is "the act of corrupting or debasing, the act of mixing something impure or spurious with something pure or genuine, or an inferior article with a superior one of the same kind."

Bouv., L. D., 126.
Century Dictionary.

Counsel do not urge that it comes within the word "fraud" or "deceit." Neither is it urged that the article is made to appear of greater value than it really is. It is not claimed that the coloring matter used is in the least deleterious. The law permits its use to color butter. Counsel rely upon *People v. Snowberger*, 113 Mich. 86. That case is not in point. The gravamen of the offense there was that the article of food was damaged, inferior, its inferiority concealed, and it was made to appear of greater value than it really was.

This brings us to the only question we need to determine, viz.: Is the title to the act broad enough to include the sale complained of? Would any person reading the title to the bill in the legislative journals, or elsewhere, suppose that the bill would make criminal an act which in itself was entirely harmless, honest, innocent and contained no element of wrong-doing? Or that it would change the well known definition of a word so as to include within it things which were in no sense akin to it and which could only be included in it by the most arbitrary legislative enactments? Would a manufacturer of, or dealer in butter or oleomargarine, be notified by the title that the harmless coloring of either was not only to be prohibited but to be punished by fine or imprisonment or both? There can be but one answer to these questions. When the legislature attempts to change definitions and to make acts criminal which per se are innocent and contain no element of wrong, there must be something in the title to show such purpose or object under Sec. 20, Art. 4 of the constitution. The title contains not even an imitation that an entirely innocent act is to be made a crime. It follows that this part of the act is void.

Bissel v. Wayne Probate Judge, 58 Mich., 237.
Northwestern M'fg. Co. v. Wayne Circuit Judge, Id., 381.
McKellar v. Detroit, 57 Mich., 158.

This statute is assailed as unconstitutional upon other grounds. This disposal of the case renders it unnecessary to discuss them. How far the legislature may go, under the police power inherent in the State in prohibiting and punishing acts which in themselves are perfectly harmless, would be an interesting study of inquiry, but as it is not necessary to a disposal of the case we decline to enter upon it.

Judgment affirmed. The other justices concurred.

PEOPLE v. SKILLMAN.

(Opinion filed March 4, 1902.)

Pure Food Law—Section 5022 C. L. Construed—Action Against Traveling Salesman.

A traveling salesman for a wholesale grocery firm, residing out of the State, took an order in this State for pure fruit jelly and forwarded the order to his employers. The order was filled with imitation fruit jelly. Information was filed against the salesman under section 5022 C. L., regulating the manufacture and sale of imitation fruit jellies. *Held*, That respondent was not guilty of violating the terms of the statute.

Error to the circuit court for Muskegon County. Fred J. Russell, judge.

Appeal of John Skillman from a conviction under the pure food law. New trial ordered.

Charles B. Cross, Prosecuting Attorney, for the people.

Elliott O. Grosvenor and Smedley & Corwin, for respondent.

Moore, J.: An information was filed against the respondent which, omitting the formal parts, reads as follows: "That one John Skillman heretofore, to wit, on the sixteenth day of September, A. D. 1901, at the city of Muskegon, in the county of Muskegon aforesaid, did unlawfully offer for sale and did sell to Albert Towle a large quantity, to wit: a certain compound under the name of Quince Jelly which was then and there adulterated within the meaning of the Act No. 193 of the Public Acts of the State of Michigan of the year 1895, as amended by Act No. 118 of the Public Acts of the State of Michigan of the year 1897, as amended by Act No. 117 of the Public Acts of the State of Michigan of the year 1899, in this, to wit: That such compound was then and there made and composed in part of glucose, starch and other substances, and was then and there colored in imitation of fruit jelly contrary to the form of the statute."

After the testimony was all in, a motion was made asking the judge, for various reasons, to direct a verdict in favor of respondent. This motion was overruled. The case was submitted to the jury which returned a verdict of guilty.

A great many errors are assigned. We think some of them which we shall discuss are well taken, but as the case if ever tried again, will not present the same questions now presented by counsel we deem it unnecessary to pass upon all the questions argued by them in the briefs.

To sustain the case of the people testimony in substance as follows was introduced: It was shown the respondent had for some years been a traveling salesman in the employ of Reid, Murdock & Company of Chicago, that he solicited an order from Mr. Towle, a grocer in Muskegon, that Mr. Towle gave him an order for a case of assorted pure fruit jelly. Mr. Skillman did not have the goods with him, but reduced the order to writing in the presence of Mr. Towle, at his store, and forwarded it to the house in Chicago. It is as follows:

"Reid, Murdock & Co., Chicago.
Sept. 12, 1901.

Name: Albert Towle.
Town: Muskegon.
State: Michigan.
Ship by Barry Line.
Salesman: Skillman.

1 c P. F. Jelly Med. Asst.....	100
1 c P. F. Jelly Med. Currant.....	100
60 days."	

"1 c. P. F. Jelly Med. Asst." was explained to mean one case pure fruit jelly medium size assorted glasses. Mr. Towle testified Mr. Skillman claimed it was pure fruit jelly for which he took the order, and that was what he intended to buy. It was not shown that respondent had anything further to do with the transaction than as above stated. Later a case of goods was received from Reid, Murdock & Company and testimony was given tending to show that a tumbler of this jelly was sold to Mr. Bennett, inspector of the Dairy and Food Department of Michigan, and by him forwarded to the State Analyst, where it is claimed upon analysis it was shown to be a mixture of fruit juice, glucose, starch and coloring-matter. Upon the cross examination of Mr. Towle the following occurred:

"Q. Did you give Mr. Skillman more than one order for fruit jelly about this time? A. Well, we had two or three orders I think, two at least:

"Q. Two orders? A. One of them might have been ordered by mail.

"Q. Now you received two consignments of fruit jelly from the orders you had given to Mr. Skillman? A. I think so, yes, sir.

"Q. Upon which one of these orders did you receive this particular tumbler of jelly that you afterwards sold to Mr. Bennett? A. I couldn't say. The one that he bought was out of that order I think. (Witness pointing to order exhibited.)"

The defense claimed that the label "pure fruit jelly" placed upon the tumbler analyzed was put there by mistake. It was their claim that Reid, Murdock & Company dealt in two kinds of jelly, those made out of pure fruit and those made in imitation of pure fruit, and that when the imitation was sold in Michigan and certain other states their instructions were to label them "imitation," and that these instructions were furnished in writing to their agents, including the respondent, and they offered testimony tending to prove this claim. The written instructions were also offered in evidence, but with the testimony offered were excluded by the court.

Among other requests offered by the respondent was the following:

"Under the undisputed evidence in this case there is nothing to show that the respondent offered to sell any jelly in violation of any statute of this State, but, on the contrary, it is shown that respondent offered to sell strictly pure fruit jelly and sent such an order to Reid, Murdock & Company, Chicago, Ills., and the charge in the information for selling and offering to sell adulterated jelly is not sustained by the evidence, and your verdict should be not guilty."

The judge refused to give this request, but charged the jury, "It is recognized by the legislators and is a matter of common knowledge that

many of the wholesalers that are doing business in Michigan are not residents of this state, so the legislature saw fit to make a law where a man solicited the sale of pure jellies, took an order for the sale of pure jellies, and in response to that order and offer, a different class of goods was furnished, that the party should be guilty of violating this particular law. In other words, instead of that order or offer and the furnishing of goods delivered to the party by a party who might be a non-resident of the State, that it should relate to the man who actually made the offer, the man who actually took the order for the furnishing of this particular article. The people claim that this is the matter in which this defendant here is liable."

This statement of the law is sought to be justified by *People v. Snowberger*, 113 Mich. 86, and *People v. Grocer Co.*, 118 Mich. 604, 71 N. W. 497, 67 Am. St. Rep. 449, 77 N. W. 315. A reference to these cases will show that the respondent in each of them admitted making the sale of the goods. In this case the respondent denies that he sold any goods coming within the provisions of the statute. Giving the only interpretation to the testimony as it appears in the record which can be fairly given to it shows Mr. Towle was solicited to give an order for pure fruit jelly. He gave such an order. It was reduced to writing and in the writing the jelly was described as pure fruit jelly. As before stated the only connection of the respondent with the transaction as shown by the record is the taking of an order for an article not within the terms of the statute and forwarding it. This does not constitute an offense. It might as well be urged that if a traveling salesman takes an order for Michigan beet sugar and forwards a written order for such sugar, and if the house, instead of filling the order as written, sends glucose with a label upon the package containing it calling it Michigan beet sugar the salesman would be guilty of an offense. This we do not understand to be the law. Upon the case as made the circuit judge should have directed a verdict of not guilty. *People v. Howard*, 50 Mich. 242, 15 N. W. 101.

The verdict is set aside and a new trial ordered.

Long, J., did not sit. The other justices concurred.

THE PEOPLE v. MORSE.

(Opinion filed June 3, 1902.)

Pure Food Law—Sales by Agents—Criminal Responsibility for Acts of Principal.

1. A traveling salesman who in good faith takes an order for "pure pepper," which is filled by his principal with impure pepper, is not guilty of a violation of Public Acts 1895, No. 193, forbidding the sale of impure foods.
2. Public Acts 1895, No. 193 (Pure Food Laws) Sec. 17, providing that the taking of an order for future delivery of any of the articles covered by the "act shall be deemed a sale, within the meaning of the act," does not make an agent absolutely responsible for the acts of his principal in filling the orders taken by such agent, and an order by the agent which is filled by the principal as an entirety may be, under the act, a sale of impure food, as to the principal, and yet not such as to the agent.

Error to circuit court, Muskegon county; Fred J. Russell, judge.

John W. Morse was convicted of a violation of the pure food law, and he brings error. Reversed.

Underwood & Umlor, for appellant.

Chas. B. Cross, Prosecuting Attorney, and George S. Lovelace, Assistant Prosecuting Attorney, for the people.

Hooker, J.: The brief filed on behalf of the people states that the case is similar to that of *The People v. Skillman*, 8 *Detroit Legal News*, 1090, 89 N. W. 330, and in effect concedes that the case must be reversed if we adhere to our former decision.

The defendant took an order for some pepper, as and for pure pepper, to be shipped to a dealer in Muskegon, by defendant's principal, a wholesaler in Chicago. The pepper when sent was not pure.

It is insisted that the *Skillman* case is at variance with the weight of authority elsewhere, and contrary to our own cases, in which it is said that we have held that a guilty intent on the part of a vendor, is not essential to an offense, under the pure food law (Public Acts 1895, No. 193.) It is further said that in the decision in the *Skillman* case, section seventeen of the act must have been overlooked or considered unconstitutional.

The transaction in which the order was taken did not involve an immediate delivery of pepper, then and there present. It is not shown that the sample, if there was one, was the same as the pepper subsequently sent, or that it was in the least impure. If it be conceded that the agent acted in good faith, and we understand that it is not questioned, he took an order for pure goods, and in doing that certainly committed no offense. It is now urged that the exigencies of the enforcement of this law are such, that we should hold that this innocent and lawful action, may be made a crime by the subsequent act of the principal, either intentional or inadvertent, in departing from, instead of performing the contract which his agent had innocently made. We think this is not so, and we are also of the opinion that this does not necessarily do violence to section seventeen. This transaction, as an entirety, may have been a sale of impure pepper under the statute as to the principal, and not as to the agent. If the order had been taken, with knowledge on the part of the agent of a practice to send impure pepper on such orders, a different question would be presented.

The judgment is reversed and a new trial ordered.

Long, J., did not sit. The other justices concurred.

PEOPLE v. ROTTER.

(Opinion filed June 24, 1902.)

Food—Oleomargarine Act—Constitutional Law—Statutes—Title—Object.

1. Public Acts 1901, No. 22, entitled "An act to prevent deception in the manufacture and sale of imitation butter," which in addition to forbidding sale of imitation butter, prohibits sales of colored oleomargarine, is not, on that account, open to the objection that the object is not expressed in the title, as required by Const. Art. 4, Sec. 20.
2. The act is not in contravention of the fourteenth amendment of the federal constitution.
3. The act is a valid exercise of the police power.

Error to circuit court, Emmet county; Frank Shepard, judge.

George W. Rotter was convicted of selling colored oleomargarine, and brings error. Affirmed.

Smedley & Corwin, Sears, Meagher & Whitney (James F. Meagher and Kay Wood, of counsel), for appellant.

Horace M. Oren, Attorney General, and Matthew F. Guinon, Prosecuting Attorney, for the People.

Hooker, C. J.: At its last session, the legislature passed an act under the title, "An act to prevent deception in the manufacture and sale of imitation butter." Public Acts 1901, No. 22.

Section 1 of said act provides that:

"No person, by himself or his agents or servants, shall render or manufacture, sell, offer for sale, expose for sale, or have in his possession with intent to sell, any article, product or compound made wholly or in part out of any fat, oil or oleaginous substance or compound thereof, not produced from unadulterated milk or cream from the same, which shall be in imitation of yellow butter produced from pure unadulterated milk or cream of the same: Provided, That nothing in this act shall be construed to prohibit the manufacture or sale of oleomargarine in a separate and distinct form, and in such manner as will advise the customer of its real character, free from coloration or ingredient that causes it to look like butter."

Section 2 prescribes a penalty for the violation of the act.

The defendant was a grocer in Emmet county, and is shown to have sold a package of oleomargarine, which by an analysis was proven to have contained artificial coloring matter, and that said oleomargarine was not made wholly from unadulterated milk or cream from the same, and that it was made in imitation of yellow butter, produced from unadulterated milk or cream from the same. The court was asked to direct a verdict of not guilty upon the grounds:

1st. That the object of the act was not expressed in the title, as required by section 20 of article 4 of the constitution of this State;

2nd. That the act violates the fourteenth amendment of the constitution of the United States, and article 6, section 32, of the constitution of this State;

3d. That it was not within the police power of the State.

The evidence conclusively shows that no deception was used in selling the oleomargarine, and there is nothing to indicate that there was any

harmful ingredient therein, but that, on the contrary there was not such ingredient. The defendant was convicted, and the case is here on exceptions before sentence.

It is contended that the title to the act indicates that the act was designed to prevent deception in the manufacture and sale of imitation butter, while the act attempts to go further and prevent all sales of such colored oleomargarine.

If oleomargarine colored yellow, closely resembles yellow butter, made from milk or cream, it cannot reasonably be said not to resemble or imitate yellow butter. Butter is a well known commodity. From time immemorial it has had but one origin, viz.: from the churning of milk or cream. Whatever may be said of the possibility of making a product from other compounds than milk or cream that shall closely resemble or be chemically identical with butter, the world has but one understanding of what is meant by the word "butter," and we must assume that such is the sense in which our legislature use the term. Compiled Laws, Sec. 50, Sub. 1.

A fair inference from this statute is that the legislature undertook to prevent deception, by preventing the sale of any yellow oleomargarine, and it undertook to accomplish this by the most effective means, viz.: by prohibiting the coloring of oleomargarine yellow, thereby avoiding the embarrassment which would otherwise arise from the necessity of proving in each case, that deceit was used in selling it, as and for butter. We think this is fairly within the title, whatever must be said of the other points raised. We are referred to the case of *N. W. Mfg. Co. v. Chambers*, 58 Mich. 381, 25 N. W. 372, 55 Am. Rep. 693, as conclusive upon this question, in which case it is said that "all that could be done under such a title would be to prohibit and prevent sale of such articles under false pretenses." We are of the opinion that this language is too restrictive, and that it is at variance with the settled doctrine of this State, that any provision, naturally calculated to accomplish the object expressed in the title may be included in the act.

See:

Soukup v. VanDyke, 109 Mich., 681.

People v. Worden Grocer Co., 118 Mich., 607.

The case cited was rightly disposed of upon another ground, and it is possible that the language above quoted should be considered a dictum. Moreover, the cases are distinguishable for whereas, that act attempted to prevent all sales of imitation butter, and was therefore perhaps inconsistent with the title, which apparently contemplated lawful sales, the statute under consideration in the present case, does not prohibit sales of oleomargarine, which is not tainted with the prohibited ingredients.

It is unnecessary to discuss the other points at length for the reason that the uniform trend of judicial opinions is that such laws are valid:

State v. Meyers, 42 W. Va., 825; 35 L. R. A., 844.

New Hampshire v. Marshall, 1. L. R. A., 51.

Powell v. Penna., 127, U. S. 678.

People v. Armsberg, 105 N. Y., 113.

Butler v. Chambers, 36 Minn., 69.

People v. Worden Grocer Co., 118 Mich., 604.

People v. Armsberg, 105, N. Y., 123.

State v. Crescent Creamery Co., 86 N. W., 107.

State v. Ball, 46 Atl. Rep., 50.
 Commonwealth v. Van Dyke, 13 Pa. Sup. Ct. Rep., 484.
 Commonwealth v. McCann, 14 Pa. Supt. Ct. Rep., 221.
 Armour Packing Co. v. Snyder, 84 Fed. Rep., 136.
 Cap. City Dairy Co. v. State, 22 Sup. Ct. Rep., 120.
 Wright v. State, 41 Atl. Rep., 795.

We are of the opinion that the legislature had the power to pass this law, and its wisdom and policy is not for our consideration.

The judgment is affirmed and the court directed to sentence the defendant.

Long, J., did not sit. The other justices concurred.

PEOPLE v. PHILLIPS.

(Opinion filed Sept. 17, 1902.)

Food—Adulteration—Statutes—Oleomargarine—Yellow Butter.

1. The phrase "yellow butter," is used in Act No. 22, Acts 1901, making it an offense to sell or offer for sale oleomargarine colored in imitation of "yellow butter" made from pure milk or cream, of the same, means any butter produced from pure milk or cream thereof having a "perceptible shade" of yellow.

Error to circuit court, Kalamazoo county; John W. Adams, judge.

John W. Phillips was convicted of selling oleomargarine, in violation of Act No. 22, Acts 1901, and he brings error. Affirmed.

Frank E. Knappen and E. M. Irish, for appellant.

Sheridan F. Master, Prosecuting Attorney, and Dallas Boudeman, for the people.

Moore, J.: The respondent was convicted of having on hand with intent to sell, and offering for sale oleomargarine, colored in imitation of yellow butter, contrary to the provisions of Act No. 22 of the legislature, passed at the session of 1901.

It is claimed by respondent this law is unconstitutional and is an invalid law. That question was decided in the very recent case of People v. Rotter, against the contention of respondent, and need not be discussed here. It is urged as a matter of defense, and we quote from the brief of counsel, "that the statute is only aimed against the imitation of a substance which the legislature recognizes as yellow butter, and

1. The court should take judicial notice that all butter with a trace of yellow in it is not the yellow butter of commerce.

2. That if this is not true as a proposition of judicial notice, and the court cannot know it, then the respondent should have been allowed to prove, if he could, that there was such a usage of commerce.

3. That the statute is vague and indefinite in not defining the elements of the statutory crime it attempts to carve out of an act innocent per se, in

that it gives no standard for determining what the color of yellow butter is that is not to be imitated."

The trial judge charged the jury upon that branch of the case as follows:

"It is not necessary in this case for the people to have proved that the respondent himself colored the oleomargarine if you find beyond a reasonable doubt that it was colored. The offense is just as complete, so far as this is concerned, if the respondent purchased oleomargarine colored, as above indicated. The offense as above stated consists of having the oleomargarine colored as before indicated, in his possession, with intent to sell the same, or in exposing it for sale; and if the respondent sold it in the same condition as he bought it, there would be no defense in this case. The respondent, gentlemen of the jury, is not charged in this information with selling this article; and if you find beyond a reasonable doubt he sold it as claimed by the people in the testimony offered, you may consider this fact on the question of whether respondent had or did not have the article in his possession for the purpose of selling it. And you must not consider it for any other purpose. If you find beyond a reasonable doubt that respondent did sell the article mentioned in the information to the parties claimed by the people, that would satisfy the statute upon the question of intent to sell. It is not necessary in this case to entitle the people to a conviction, that the oleomargarine should have been colored to represent any particular kind of yellow butter. That is, such yellow butter as the statute mentions, and as I have indicated to you the statute mentions. If the coloring was put into it, and by using such coloring the oleomargarine was in imitation of light yellow butter, such as the statute mentions, that is yellow butter produced from pure, unadulterated milk or cream from the same, the offense is committed just the same, as if it had been colored to represent darker yellow butter. If you find it to have been oleomargarine and was colored in such a manner as to be in imitation of any kind of yellow butter, that would satisfy the statute upon the requirement of the question of color. Yellow butter I define to be any butter produced from pure, unadulterated milk or cream of the same having a yellow color.

"It is necessary in order for the jury to convict the respondent, for you to find beyond all reasonable doubt that the article in the package sold was colored in imitation of yellow butter produced from pure, unadulterated milk or cream of the same. If you find beyond a reasonable doubt under the testimony in this case that there was some coloring matter in this article still if you find that there was not enough coloring matter in this article to cause it to look like yellow butter having a perceptible shade of yellow, said butter having been produced from unadulterated milk, or cream from the same, then you must acquit. But if you find beyond a reasonable doubt there was coloring matter in said article and sufficient coloring matter in said article and sufficient coloring matter therein to make it look like yellow butter, having any perceptible shade of yellow, said butter having been made from unadulterated milk or cream from the same, that would be sufficient so far as the requirement of the statute upon the question of coloration is concerned."

We think this was a proper construction of the language used in the statute.

The conviction is affirmed and the case remanded for further proceedings.

Long, J., did not sit. The other justices concurred.

PEOPLE v. JENNINGS.

(Opinion filed April 7, 1903.)

Adulteration of Food—Omission of Ingredients—Coloring Matter—Remarks of Court.

1. There not having been incorporated in the pure food law of 1895 (Public Acts of 1895, p. 358, No. 193), any specific formula for the manufacture of lemon extract, it is proper to resort to the United States Pharmacopoeia formula to determine of what lemon extract consists.
2. The pure food law of 1895 (Public Acts of 1895, p. 358, No. 193), is not intended to prevent manufacturers of articles of food from improving the same, so long as no infringement of the law or spirit of the act defining adulteration takes place.
3. The provisions of Comp. Laws, Sec. 5012, that an article shall be deemed adulterated, "second, if any inferior or cheaper substance or substances have been substituted wholly or in part for it; third, if any valuable or necessary constituent or ingredient has been wholly or in part abstracted from it"—should be read together, and the provision first recited construed as prohibiting the substitution for an essential ingredient of any cheaper or inferior substances.
4. Comp. Laws, Sec. 5012, declaring that an article shall be deemed adulterated, "sixth, if it is colored * * * whereby damage or inferiority is concealed, or if by any means it is made to appear better or of greater value than it really is," does not preclude the use of coloring matter not injurious to health in any way.
5. It is improper for the court to refer to expert testimony as "boughten testimony."

Exceptions from circuit court, Muskegon county; Fred J. Russell, judge.

Charles W. Jennings was convicted of violating the pure food law, and brings exceptions. Reversed.

Charles A. Blair, Attorney General, and Charles B. Cross, Prosecuting Attorney, (Cross, Lovelace and Ross, of counsel), for the people.

Knappen, Kleinhans & Knappen and L. N. Keating, for defendant.

Montgomery, J. This is a prosecution under the Pure Food Law, so called. The defendant was convicted under an information charging him with selling a compound as a lemon extract which was adulterated within the meaning of Act No. 193, P. A. 1895, and was a compound in imitation of extract of lemon. The respondent was convicted and brings the case upon exceptions before sentence.

The evidence on the trial introduced by the defendant tended to show that lemon oil contains from three to ten per cent citral, so called, and upwards of ninety per cent of so called turpenes; that these turpenes represent the oil property; that they are in reality the oil itself freed from the citral; that citral is the principal flavoring and odor-bearing property of lemon oil; that the tendency of turpenes in the oil of lemon is to deteriorate or become rancid by long standing, and that because of this the extract of spirits of lemon in which turpenes appear in usual quantities become turpentiney, both in smell and taste, and that for this

reason it is undesirable to have turpenes present; that the turpenes have a biting taste, easily developing a turpentine taste, not the true flavor of the lemon fruit. There was also testimony tending to show that this fact created a demand for turpeneless oils and that turpeneless lemon oils had been manufactured and sold commercially for a considerable time.

On the part of the prosecution the testimony of the chemist of the Pure Food Department was to the effect that taking as a standard of extract of lemon the spirits of lemon as defined by the United States Pharmacopoeia formula that the extract produced by the respondent showed no lemon oil present. It further appears that spirits of lemon made according to the pharmacopoeia formula would contain from 25-100 to 35-100 of one per cent of citral. It also appeared that 30 per cent of alcohol appeared in the product made by respondent, and that according to the pharmacopoeia formula 80 per cent was used, and that it cost less to make the extract using but 30 per cent of alcohol than if 80 per cent was used. It was also shown that a trace of coal tar dye was found in the extract made by respondent, but it was conceded that there was nothing whatever injurious in the extract as prepared by Mr. Jennings. The extract sold by respondent was made by what is known as the shaking out process, the purpose being to make an extract that contains no oil and as little alcohol as possible, a product that simply contains the flavoring properties of the lemon oil without the turpenes. This system has been employed by Mr. Jennings and by other manufacturers for the past three years; and it is claimed that all the elements and properties of lemon oil remained except the turpenes, and the testimony tended to show that the complete flavoring qualities are extracted by this process.

The circuit judge charged the jury as follows:

"In 1895 the Legislature of this State, thought it wise to pass a law relative to the adulterations of food and food products. Perhaps there may have been some amendments since that time, but that was the foundation of the law. That law covers lemon extract as it covers all other products that are sold on the market. It seems at the time the law was passed and since that time there hasn't been—there isn't incorporated within that law any special formula for the manufacture of lemon extract. Now, we can hardly say, gentlemen of the jury, that at the time of the passage of that law that the Legislature didn't have some recognized and defined standard by which these essences or extracts should be governed or controlled. I think it would be hardly fair to the Legislature to claim that there wasn't a standard they had in their mind at that time, and for the purposes of this case I will instruct you gentlemen, that at that time and at this time this standard that appears here in the United States Pharmacopoeia is the standard recognized by the legislators of this State and the one to which—the one that is in force so far as it applies to the pure Food Law of this State with reference to that particular product. And if this lemon extract is manufactured in conflict with that formula as I shall hereafter call your attention to it, and you should find from the evidence, why it would be your duty to convict the defendant here.

"By that formula it appears that it is necessary to have five per cent of lemon oil in the lemon extract and that lemon oil shall be cut by a sufficient quantity of alcohol to perform that act. Of course, you know that that means in common parlance it should dissolve the oil. In addition to that, as the evidence tends to show in this case, after those things are put together, the fluid, whatever it might be, would be nearly the color of water. As coloring there may be or should be five per cent of lemon rind, and those ingredients when added together would be lemon extract, and that, gentlemen, will be the standard as applied to the Pure Food Laws of this State. Now, gentlemen, I don't mean by that statement that lemon extract cannot be manufactured by any other process except by that to which I have called your attention. I don't mean that. It is the claim of the de-

fendant here that he has discovered a process by which he can manufacture lemon extract containing all of the qualities that lemon extract manufactured according to that formula would possess and not have entirely all of the ingredients in the first instance that are provided in the formula. And as I view this case, gentlemen, that is one of the important propositions in connection with this case—that, and the question of coloring—in the judgment of the court is the case, and that all of the testimony in the case here revolves itself about those two propositions.

"It is the claim of the defendant, as I say, he has discovered a process by which he can produce in this lemon extract all the qualities that would be produced by adding alcohol and lemon oil together, and that manufacturing it by that means he produces it chemically by taking a larger quantity of lemon oil and extracting certain parts of it. Now, gentlemen, if you find and are satisfied by the evidence in this case that after this lemon extract was manufactured as defendant here claims he did manufacture it possesses all the qualities in strength and otherwise that it would possess if manufactured according to this formula, he is not guilty under this law. That is, he is not guilty of manufacturing an impure article, unless there are certain other articles that enter into the case to which I call your attention. As I say, in the first instance, it is claimed that according to the formula it should be alcohol and five per cent of lemon oil. Now if by some other process he can manufacture from the lemon oil and alcohol a product that would contain all of the elements that those two elements would contain if so mixed, he would not be guilty, so far that would be lemon extract except the color of it.

"It is conceded here by all parties in interest, I think, that the only object of the lemon peel is to produce coloring. But there is another element to which the prosecuting attorney, has called our attention. The evidence tends to show, gentlemen, that if this product is produced as claimed here on the part of the defendant, that after production by this process that the product will be nearly white. As I say, if it contained all of the elements of lemon extract, I don't think he would be guilty under this law, and if you are so satisfied, of course, at that point it would be your duty to find a verdict of not guilty unless there is some other matter in which he has violated this law.

"There is another provision of this Pure Food Law that provides that ingredients shall not be colored. In this case it appears that after this fluid substance is produced which he claims is just the same as produced under this formula, that he desires to change it to a lemon color. In other words, he puts in an ingredient which he claims would produce the same effect as this lemon rind. What is the object, gentlemen, or what was the object of Mr. Jennings adding this color? If the object was by any means to make it appear better or of greater value than it really is; if that was the object in adding that product, of course it is your duty without any question to find this defendant guilty, because he hadn't any right to add that kind of a product or any other kind of a product to this fluid which he had produced and sell it for lemon extract, because that is a direct violation of one of the provisions of this Pure Food Law."

We think this charge presents fairly three questions for consideration: First, whether the pharmacopoeia formula is to be considered as defining lemon extract; second, if so, whether an omission of ingredients not essential to its purposes as a food product is a violation of the statute; third, whether the instruction relative to the addition of coloring matter should be sustained.

The statute defining what shall be deemed adulteration, so far as it relates to this case, declares that an article shall be deemed adulterated when: "First, if any substance or substances have been mixed with it, so as to lower or depreciate or injuriously affect its quality, strength or purity; second, if any inferior or cheaper substance or substances have been substituted wholly or in part for it; third, if any valuable or necessary constituent or ingredient has been wholly or in part abstracted from it; fourth, if it is an imitation of, or is sold under the name of another article; * * * sixth, if it is colored, coated, polished or powdered whereby damage or inferiority is concealed, or if by any means it is made to appear better or of greater value than it really is; seventh, if it contains

any added substance or ingredient which is poisonous or injurious to health." Compiled Laws, Sec. 5012.

We are agreed with the circuit judge that in referring to articles of food and to protect the users thereof the legislature must have had in view some standard, and as lemon essence or lemon extract had therefore acquired a well-defined meaning we incline to the view that it is proper to resort to the pharmacopoeia formula for the purpose of determining what lemon extract consists of. Does it follow from this that the legislature intended to prohibit improvement in the manufacture of lemon extract? If a means should be discovered by which a larger percentage of the flavoring quantity of the lemon might be extracted would it be an infraction of this law that the manufacturer should use such larger proportion of the essential ingredient of the lemon extract. We think not. We think it is open to manufacturers to improve a common article of food so long as no infringement of the law or spirit of the act defining what shall be deemed adulteration takes place. According to the proofs offered by the defendant it is very clear in the present case no substance or substances have been mixed with this extract so as to lower or depreciate or injuriously affect its quality, strength or purity.

As to the second condition which amounts to adulteration the case is not so clear. This provides that if any inferior or cheaper substance or substances have been substituted wholly or in part for it, that it shall amount to adulteration. We think, however, this provision should be read in connection with the succeeding one, to-wit: "If any valuable or necessary constituent or ingredient has been wholly or in part abstracted from it." So construed the provision prohibiting the substitution of any inferior or cheaper substance, wholly or in part, for it means the substitution for an essential ingredient of such cheaper or inferior substance. Now if it be a fact, as the testimony on the part of the respondent tends to show, that it is a positive advantage to exclude the turpene wholly from the extract and to lessen the quantity of alcohol used, then the essential ingredients of lemon extract have not had substituted for them anything inferior or cheaper. We are aware that this view of the law may make it more difficult to establish the individual case, but as the statute is a penal statute it should receive a strict construction.

It follows from the views above expressed that the instruction of the learned circuit judge was erroneous inasmuch as the jury were told in effect that if any ingredient of lemon essence as defined by the pharmacopoeia was wanting in this extract sold by the respondent that there should be a conviction. We think the instruction should have been that if the lemon extract sold by respondent contained all the ingredients and in quantities such as prescribed by the pharmacopoeia which are adapted to use as food, and that nothing was eliminated except such ingredients as could be dispensed with without injury to the product as a food product there was no violation of the statute.

The only other provision of the statute involved is the sixth, which in effect prohibits coloring the article produced whereby damage or inferiority is concealed. The instruction upon this branch of the law was also erroneous if we are correct in our view of the main question. The elimination of non-essential ingredients from the extract certainly does not show damage or inferiority, and as the conceded facts are that the color-

ing matter employed was not injurious to health in any way this provision has no application.

The other questions discussed do not require special mention. It may be noted in passing that the circuit judge in referring to the testimony of expert witnesses spoke of it as boughten testimony. We think this expression was unfortunate. While it is proper for the jury to take into account the fact that expert witnesses are employed at an extra compensation paid them, the implication that the extra compensation necessarily amounts to a purchase of their testimony is hardly warranted; while the jury may consider this fact as bearing on their credibility, it is not proper that the court should intimate an opinion of that character.

The judgment should be reversed, and a new trial ordered.

The other justices concurred.

BENNETT v. CARR.

(Opinion filed July 14, 1903.)

Pure Food Law, Act 22, P. A. 1901, Construed—Sale of Yellow Oleomargarine.

Act No. 22 of the Public Acts of 1901 prohibiting the sale of Oleomargarine except where it is "free from coloration or ingredient that causes it to look like butter," does not prohibit the sale of oleomargarine whose color is natural, genuine, and not an imitation, and the ingredients themselves naturally produce the color.

The term "ingredient," used in Act 22, Public Acts of 1901, does not refer to the ingredients essential to produce the article as defined by the legislature, but to an ingredient used to produce color.

Certiorari to the Circuit Court for Muskegon county, Fred J. Russell, judge to review an order denying the petition of John R. Bennett for mandamus to compel John M. Carr to issue a warrant. Order affirmed.

Charles A. Blair, Attorney General, and Cross, Lovelace and Ross, for relator and appellant.

Smith, Nims, Hoyt and Erwin for defendant and appellee.

Grant, J.: Relator is the inspector of the State Food and Dairy Department. On the 24th day of February, 1903, he made complaint before the defendant, a justice of the peace of the county of Muskegon, charging one Martin Aamondt with having sold one pound of oleomargarine contrary to Act No. 22 of the Public Acts of 1901. The respondent refused to entertain the complaint and issue warrant, on the ground that the complaint stated no offense under the provisions of said act, and that said act is unconstitutional and void. Relator thereupon applied to the circuit court for the county of Muskegon for the writ of mandamus to compel the respondent to issue said warrant, and proceed with the examination. The circuit court sustained the action of the respondent, and the case is now before us for review upon certiorari.

The statute in question reads as follows:

"Section 1. No person, by himself, or his agents, or servants, shall render or manufacture, sell, offer for sale, expose for sale, or have in his possession with intent to sell, any article, product or compound made wholly or in part out of any fat, oil, or oleaginous substance or compound thereof, not produced from unadulterated milk or cream from the same, which shall be in imitation of yellow butter produced from pure unadulterated milk or cream of the same: Provided, That nothing in this act shall be construed to prohibit the manufacture or sale of oleomargarine in a separate and distinct form, and, in such manner as will advise the consumer of its real character, free from coloration or ingredient that causes it to look like butter." The complaint charges Mr. Aamondt with unlawfully selling one pound of oleomargarine "made wholly or in part of fat, oil, or oleaginous substance or compound thereof, as follows, to wit:

Water	11.75 per cent
Butter fat	1.34 per cent
Beef, fat, lard and cottonseed oil.....	79.24 per cent
Salt and other mineral matter.....	4.54 per cent
Curd	3.13 per cent

Said article, product or compound not being then and there butter produced from unadulterated milk or cream from the same, and being then and there in imitation of yellow butter produced from unadulterated milk or cream from the same, and not being then and there oleomargarine in a separate and distinct form and in such manner as would advise the consumer of its real character, free from coloration or ingredient that would cause it to look like butter, but that the said oleomargarine was then and there of a yellow color in imitation of butter, said color not being then and there produced by the addition of any artificial coloring matter, but said color being produced solely by the said ingredients therein contained, the said ingredients hereinbefore set forth, having been selected and used in the manufacture of said oleomargarine in such manner and in such quantities and proportion as to produce the oleomargarine that was then and there in imitation of yellow butter produced from unadulterated milk or cream from the same, contrary to the form of the statute," etc.

The oleomargarine so purchased was manufactured in the city of Chicago, State of Illinois, by one Moxley, a resident of said city, and was sold by said Moxley to said Aamondt in the usual course of trade, and by said Aamondt was sold in the usual course of retail trade, in the same form and condition and in the original package, in which it was received by Aamondt from Moxley.

It is conceded that this oleomargarine has a yellow color similar to butter, but the color is not produced by any artificial coloring substance or ingredient used for the purpose of coloration, but is produced solely by the selection and use, in proper proportions, of the substantial, recognized, legal and necessary ingredients of commercial oleomargarine.

Does the complaint state an offense covered by the statute? The answer depends upon the construction to be given to the statute. The relator contends that the statute covers all products which look like yellow butter and that it is immaterial whether such color is produced by some ingredient introduced for the purpose of causing the product to look like butter, or whether such color is produced by authorized and legal constituent food ingredients. The respondent contends that the statute is aimed only at the use of ingredients used solely for the purpose of

producing the yellow color, and does not prevent the manufacture of an article whose color is natural, genuine and not an imitation. Penal statutes must be construed strictly and cannot be extended by construction beyond the intent of the act as expressed on its face. The conditions existing at the time the statute was enacted, and the mischief to be remedied, are important factors in construing penal statutes. Two acts covering the same subject must be construed as *in pari materia*, and, if possible, effect given to both. These are elementary rules of construction. At the time the statute in question was enacted the only method in use in causing oleomargarine to look like yellow butter was the introduction of some extraneous coloring matter. This was the mischief to be remedied. We clearly so understood in *People v. Rotter*, 9 D. L. N. 284; 91 N. W. Rep., 167, where, speaking through Chief Justice Hooker, we said of this statute: "The statute under consideration * * * does not prohibit sales of oleomargarine which is not tainted with the prohibited ingredient."

See also *People v. Phillips*, 9 Id. 393; 91 N. W. Rep. 616.

The legislature has defined oleomargarine which may be manufactured and sold in this State. Sec. 6, Act No. 147, Public Acts of 1899. It is conceded that the respondent has complied with this act. If we give the enlarged construction to the statute now in question, as urged by the relator, it follows that the legislature has prohibited the manufacture and sale of a valuable article of food, the natural color of which resembles yellow butter (itself almost universally colored by extraneous matter). The manufacturer of such a product, if he sold it at all, would be compelled to introduce some coloring matter so as to make it look unlike the yellow butter of commerce. These two statutes must be construed together. The article sold by the respondent is clearly authorized by the first act. The latter act does not in terms prohibit its sale and manufacture. It does prohibit the use of any substance for the sole purpose of producing yellow color. The use of such coloring matter was the sole mischief then known to exist, and the only danger to be apprehended and guarded against.

A similar statute was passed in New Jersey, and the like contention was made to support a conviction, and the court said: "To construe the statute so broadly would render it practically prohibitive of the sale of all oleomargarine; for, of course, the compound must derive color from its ingredients, and such a prohibition has manifestly not been declared."

Ammon v. Newton, 14 At. Rep. 610; 50 N. J., 548.

McCann v. Commonwealth, 48 At. Rep. 470; 198 P. A. St., 509.

Our statute is copied verbatim from that of Massachusetts. The Supreme Court of that State, in a case just decided, has held that the statute applies only to extraneous substances or ingredients which cause the product to look like butter, and not to cases where the ingredients themselves naturally produce the color.

Commonwealth v. Himberg, ————.

The Supreme Court of the United States so held in regard to the same statute.

Plumley v. Commonwealth, 155 U. S., 461.

The term "ingredient," used in the statute, does not refer to the ingredients essential to produce the article as defined by the legislature, but to an ingredient used to produce color. The maxim *noscitur a sociis* applies.

Under this disposition of the case it becomes unnecessary to discuss any constitutional question.

The order is affirmed.

The other justices concurred.

PEOPLE v. HARRIS.

(Opinion filed December 1, 1903.)

Food—Corn Syrups—Glucose.

1. Public Acts 1903, No. 123 forbids the sale of cane syrup or beet syrup mixed with glucose, unless the package containing the same be distinctly branded "Glucose Mixture" or "Corn Syrup," with the name and percentage of each ingredient contained therein plainly stamped thereon. Held, That a sale of syrup made of 90 per cent pure corn syrup and 10 per cent cane syrup, labeled "Victor Corn Syrup," and truthfully stating the ingredients composing it, is not in violation of the statute, in that it is not branded "Glucose, 90 per cent, and cane syrup 10 per cent."

Exceptions from circuit court, Kent county; Willis B. Perkins, Judge.

Benjamin S. Harris was convicted of violating the "Act in relation to the sale of corn syrup" and brings exceptions. Reversed.

Respondent was prosecuted and convicted for a violation of Act No. 123 of the Public Acts of 1903, entitled, "An act in relation to the sale of corn syrup," and reading as follows:

"Section 1. No person shall offer or expose for sale, have in his possession with intent to sell, any cane syrup, beet syrup, or glucose, unless the barrel, cask, keg, can, pail or package containing the same be distinctly branded or labeled with the true and appropriate name; nor shall any person offer or expose for sale, have in his possession with intent to sell, or sell any cane syrup or beet syrup mixed with glucose unless the barrel, cask, keg, can, pail or package containing the same be distinctly branded or labeled 'Glucose Mixture' or 'Corn Syrup' in plain Gothic type not less than three-eighths of an inch square, with the name and percentage by weight of each ingredient contained therein plainly stamped, branded or stenciled on each package in plain Gothic letters not less than one-quarter of an inch square. Each and every package of syrup either simple or mixed shall bear the name and address of the manufacturer. Such mixture or syrups shall have no other designation or brand than herein required that represents or is the name of any article which contains a saccharine substance; and all brands or labels required shall be an inseparable part of the general or distinguishing label, and that the general or distinguishing label shall be that principal and conspicuous sign under which it is sold.

"Sec. 2. Whoever shall do any of the acts or things prohibited, or neglect or refuse to do any of the acts or things required by this act or in any way violate any of the provisions, shall be deemed guilty of a misdemeanor, and shall be punished by a fine not less than twenty-five dollars nor more than one hundred dollars, or by imprisonment in the county jail for a period of not less than thirty days nor more than ninety days, or by both such fine and imprisonment in the discretion of the court."

The complaint charges him with the unlawful sale of "a two-pound can, two pounds, of a certain article, product and compound, to-wit: corn syrup, so-called, made wholly or in part of cane syrup and glucose as follows, to-wit: Cane syrup ten per cent, and glucose ninety per cent, said can containing said article, product and compound sold as aforesaid not being then and there stamped, branded or stenciled with the name and percentage by weight of each ingredient contained therein, to-wit: cane syrup ten per cent, glucose ninety per cent; but said article, product and compound sold as aforesaid was then and there stamped and branded as follows, to-wit: 'Cane syrup ten per cent, corn syrup ninety per cent,' against the form of the statute in such case made and provided, and against the peace and dignity of the people of the State of Michigan."

Respondent moved to quash the complaint and warrant for two reasons: (1) they charged no offense; (2) the act authorizes the use of the words "Corn Syrup," instead of Glucose in the statement of the ingredients placed upon the can. The motion was overruled and the case proceeded to trial upon the following agreed facts:

1. The respondent sold on October 12, 1903, at the city of Grand Rapids, Michigan, the can of Victor Corn Syrup in question.

2. The label on said can of syrup sold, as stated in the complaint, contains the formula of contents of said can as follows: "Corn syrup, ninety per cent; cane syrup, ten per cent;" and is not branded or labeled as the people claim it should be, "Glucose, ninety per cent; Cane Syrup, ten per cent."

3. The Victor Corn Syrup in question is in fact composed of ninety per cent syrup made from corn, commercially called Glucose or Corn Syrup, and ten per cent of cane syrup.

4. Glucose contained in the Victor Corn Syrup in question is in fact a pure syrup made entirely from corn.

5. Grape Sugar, commercially known as Glucose, either solid or liquid, is a generic name for starch sugar as distinguished from the cane sugar.

6. A simple beet syrup is evidently the same as the simple cane syrup.

7. Originally, Glucose, which was first made from grapes, was, for the reason that starch sugars are identical with the sweet principle of grapes, termed, for a great many years, and until lately was known chemically and commercially as Grape Sugar.

8. Commercially, Glucose is now made in this country entirely from corn, although abroad it is still made from potatoes.

9. The consuming public does not understand that Glucose is a syrup made entirely from corn. On the contrary, it is claimed by the respondent that the public generally supposes Glucose to be an inferior product made from animal fat, or a product of the glue factory, while they do recognize corn syrup as being made from corn.

10. Glucose as made from corn and contained in Victor Corn Syrup in question, is entirely harmless and recognized generally by highest authorities as a valuable food product.

11. Glucose made from corn, in fact, costs at the present time, owing partially to cost of raw material, more to produce, and sells for more in the markets, than manufactured cane syrup.

The court directed a verdict of guilty.

Grant, J.: Does the statute require respondent or manufacturers to state upon their labels that corn syrup consists of ninety per cent glucose? No such statute has come under the decision of other courts. It is a new question, and must be determined upon general principles of construction.

It is conceded that the label states the exact facts; that the article is made of ninety per cent pure corn syrup and ten per cent cane syrup; that it deceives no one; that Victor Corn Syrup is a valuable and pure article of food, and that the ingredient ninety per cent corn syrup "is entirely harmless, and recognized generally by the highest authority as a valuable food product," whether it be called glucose or corn syrup. The term "Glucose" is obnoxious to many, if not a majority, of the public, and is misunderstood by them. They do not know that in this country glucose is now made entirely from corn, and that the terms glucose and corn syrup are commercially synonymous. This fact is known to the manufacturers and perhaps the dealers. A prejudice exists against the term "glucose" because that material can be manufactured from many substances, including sawdust. In Europe it is made mainly of potatoes. By many it is associated with a glue factory. In this country corn syrup and glucose are not only commercially synonymous terms, but it is stated by counsel for respondent that they are permitted to be so used in all the other states. We have not verified this statement, but as it is not challenged we assume it to be correct.

We have, therefore, a valuable and healthful product, made from two pure, valuable and healthful ingredients, advertised and placed upon the markets for what it really is, without any deception, fraud or chance to injure the public in any way. Yet the contention on behalf of the people is that the legislature has enacted that in putting this product upon the market its manufacturers and sellers must attach to it a name obnoxious to the public, and, in fact, calculated to deceive them. When it is claimed that such innocent acts are made *malum prohibitum*, there must be either an express provision of the statute so declaring, or the language of the statute must leave no other conclusion reasonable. This statute does not expressly require it.

The argument on behalf of the people in "that glucose made from corn is glucose, the simple syrup mentioned in and intended to be mentioned in said act." The further claim is "that had there been any intention on the part of the legislature to use the term 'glucose' and 'corn syrup' interchangeably and as synonymous then the term 'corn syrup' would have been enumerated as one of the simple syrups." We do not think this reasoning at all conclusive. Prior to the enactment of this statute the law prohibited the sale of molasses, syrup or glucose unless distinctly branded or labeled with its true and appropriate name,—or any mixture thereof, unless it was branded or labeled "glucose mixture," and the per cent in which glucose entered into its composition. C. L., Sec. 5024. The present act which repeals the provisions of the former act expressly permits the mixture to be labeled "glucose mixture," or "corn syrup," and forbids mixtures or syrups to have any other designation than required in the act so far as such designation "represents or is the name of any article which contains saccharine substance." It is a fair presumption that the legislature, in enacting this law, recognized the ob-

noxious character of the term "glucose" among the people, and permitted, and intended to permit, the mixture of corn syrup and cane syrup to be sold under the name of Corn Syrup. The title to the act provides for the sale of corn syrup, and in its body provides that when cane syrup is mixed with it, the manufacturers and dealers shall state the proportionate ingredients. The smaller amount of cane syrup used does not change the character of the general product, any more than salt changes the character of bread, or, sugar that of cake, and the act permits the sale of the mixture as corn syrup. Syrup, as defined by the United States Department of Agriculture, "is the product obtained by purifying and evaporating the juice of a sugar-producing plant without removing any of the sugar." Syrup thus obtained from cane is cane syrup; syrup so obtained from sorghum is sorghum syrup, and syrup so obtained from corn is corn syrup. There is no reason why corn syrup should be labeled glucose, and until the legislature have so ordered in language susceptible of no other construction, the law must be held not to bear that construction.

Conviction reversed, and respondent discharged.

Hooker, C. J., took no part in the decision. The other justices concurred.

PEOPLE v. HINSHAW.

(Opinion filed January 5, 1904.)

Pure Food Law—Adulterated with Harmless Ingredients—Act 193, P. A. 1895, construed.

The coloration of "Extract of Vanilla" with any substance to give it the appearance of greater strength is a violation of the pure food law, even though such coloring matter is harmless.

Act 193, P. A. 1895, as amended by Act 118, P. A. 1897, held constitutional.

Error to the circuit court for Saginaw county; B. A. Snow, judge.

Appeal of Emory H. Hinshaw from a conviction under the pure food law. Affirmed.

Charles A. Blair, Attorney General, and Frank A. Rockwith, Jr., and C. M. Browne, for the people.

Eugene Wilber for respondent and appellant.

Respondent was prosecuted and convicted of the unlawful sale of "Extract of Vanilla, which was then and there adulterated within the meaning of act number 193 of the Public Acts of the State of Michigan of the year 1895, as amended by act number 118 of the Public Acts of 1897, in this, to-wit: That said extract of Vanilla was colored by the addition of a foreign coloring matter, to-wit: coal tar dye, whereby its inferiority was concealed, and whereby said Extract of Vanilla was made to appear better and of greater value than it really was."

Two errors are assigned.—(1) that the court erred in instructing the jury; (2) that the act is unconstitutional as repugnant to the Fourteenth Amendment of the Constitution of the United States.

Grant. J.: I. The instruction complained of is as follows:

"Now before the inferiority of an article can be concealed it must be necessarily first ascertained as to whether or not there is an inferiority in the article. If it is an inferior article and that inferiority is concealed by reason of the addition of foreign substance in this vanilla, and you are satisfied from the proof beyond a reasonable doubt of the fact, then he would be guilty, although he had no knowledge as to the foreign substance being in the bottle."

It appears that no such claim was made on behalf of respondent upon the trial; no request was asked covering the points now raised. The only objections shown by the record to have been made are—first, that the title is not broad enough to cover the provisions in the amendment of 1897; second, that the legislature has no power to prohibit and punish acts in themselves harmless; third, that the act is unconstitutional.

Even in criminal cases it is the duty of counsel to call the attention of the court to the points on which an instruction is desired. *People v. Ezzo*, 104 Mich. 311.

We, however, are of the opinion that the information charges the coloration to make an inferior article appear better and more valuable than it really was, and is sufficient; and also that there was evidence to sustain the allegation. The State Chemist testified that the effect of the coal tar dye was to make the article appear of greater value than it really is, and that the people would think it stronger than it really was. It is true, his testimony was weakened by cross-examination, but not sufficient to take the question from the jury,—especially in view of the fact that no other purpose than to make the article appear better, is shown.

II. The use of coal tar dye being harmless, counsel for respondent insists that the case comes within the rule of the recent case of *People v. Jennings*, 94 N. W. R. 216; 10 D. L. N. 39. That case had not been decided when this case was tried. No such theory was advanced upon the trial. Even if it were, we, however, think the case is clearly distinguishable from *People v. Jennings*. The color given to lemon extract, which of itself is almost colorless, as no indication whatever of the strength of the extract or its value. Its color is a mere whim or caprice of the trade, and no more indicates the character and value of the extract than does the coloring matter, used to color butter, indicate its character and value. In this case Vanilla resembles the color of the bean from which it is produced. Its strength and value are judged to some extent at least, under the evidence in this case, from its color. No other object is apparent from the use of the coloring than to make it appear of a quality better than it really is.

III. It is urged that the act is unconstitutional on account of the proviso "that nothing in this act shall prevent the coloring of pure butter." This act is similar in its provisions to that involved in *People v. Rotter*, 91 N. W. R. 167; and *People v. Phillips*, Id. 616. The constitutionality of such acts was there sustained, and a discussion is unnecessary. *Capital City Dairy Co. v. Ohio*, 183 U. S. 238, 246, is decisive of the question.

The conviction is affirmed.

The other justices concurred.

The Pratt Food Company,

v.

Arthur C. Bird, Dairy and Food

Commissioner of the State of Michigan.

Montgomery, J.: The bill in this case is filed to restrain the defendant, his clerks and employes, from writing, printing, issuing, publishing or sending out any bulletin, writing, publication or notice, to the effect that complainant's preparations sold as Pratt's Food for Horses and Cattle, Pratt's Poultry Food, and Pratt's Animal Regulator, or either of them, are not licensed under Act No. 12 of the Laws of 1905, and warning the public against buying or selling these preparations.

The bill sets out that the defendant asserts and claims that these preparations come within the terms of the act, and that unless restrained by injunction he will so assert by bulletins issued to the trade, and by this method intimidate dealers and prevent their purchasing complainant's products. (We are stating simply the substance of the averments in brief.) It is also asserted that the effect of such bulletins will be to destroy and ruin the complainant's trade and work irreparable injury.

Upon the hearing below the bill was dismissed, and the complainant appeals. Three questions are presented upon the record, first, whether in view of the case complainant is entitled to the remedy here invoked; second, whether Act No. 12 of the Public Acts of 1905 is constitutional. third, whether if it be constitutional the complainant's products come within the terms of the statute.

1. The statute in question is an amendment of Act No. 211 of the Public Acts of 1893, entitled "An act to provide for the appointment of a Dairy and Food Commissioner, and to define his powers and duties and fix his compensation," and by section 18 of the act it is provided that "Any manufacturer, company, person or persons who shall sell, offer or expose for sale or for distribution, in this State, any concentrated commercial feeding stuff used for feeding livestock, shall furnish with each car, or other amounts shipped in bulk, and shall affix to every package of such feeding stuff, in a conspicuous place, on the outside thereof, a plainly printed statement, clearly and truly certifying that the number of net pounds in the car or package sold or offered for sale, the name or trade-mark under which the article is sold, the name of the manufacturer or shipper, the place of manufacture, the place of business, and a chemical analysis, stating the percentages it contains of crude protein, crude fibre, nitrogen—free extract and ether extract, all constituents to be determined by the methods adopted by the association of official agricultural chemists. Whenever any feeding stuff is sold at retail in bulk or in packages belonging to the purchaser, the agent or dealer shall furnish to him a certified copy of the chemical analysis named in this section. The term concentrated commercial feeding stuffs as used in this act shall include linseed meal, cotton seed meal, pea meals, cocoanut meals, gluten meals, oil meals, of all kinds, gluten feeds, maize feeds, starch feeds, mixed sugar feeds, hominy feeds, rice meals, oat feeds, corn and oat feeds, meat meals, dried blood, clover meals, mixed feeds of all kinds, slaughter house waste products; also all condimental stock foods, patented and proprietary stock foods, claimed to possess nutritive properties and all other

materials intended for feeding to domestic animals. * * * A penalty is provided for the violation of this provision.

It is strenuously insisted by the Attorney General that if it be conceded that the complainant's products do not come within the inhibition of this statute, yet no remedy by injunction exists, for the reason that the effect of issuing an injunction is to restrain the prosecution of a criminal proceeding. Numerous cases are cited, among them *Arbuckle v. Blackburn*, 113 Fed. Rep. 625; *State v. Wood*, 155 Mo. 425, and *Predigested Food Co. v. McNeal*, 1 Oh. N. P. 266.

In so far as these cases lay down the rule that a court of equity will not interfere to restrain a public officer from invoking the criminal law and instituting a prosecution for a violation of a statute they have our full approval. A court of equity will not transfer to its own jurisdiction the trial of a criminal case, and this though the prosecution may fall with some hardship upon the accused party. Nor, as a general proposition, will a court interfere to restrain the publication of a libel.

But we hold in *Beck v. Railway Teamsters' Protective Union*, 118 Mich. 497, that injunction will lie to restrain a combination of persons from acts which tend to ruin complainant's business by bringing to bear upon his customers intimidating and coercive means. The principle which should rule the present case is identical. If the acts which are threatened are unlawful it cannot be doubted that placing in the hands of every dealer in the State a bulletin which in effect threatens them with prosecution in case they make use of these products in the form in which they are lawfully sold to them would be to absolutely exclude complainant's business from the State. The case presented is very similar in this aspect to that of *American School of Magnetic Healing v. McAnnulty*, 187, U. S. 94, which case involved the right of the Postmaster General to exclude the complainants from the use of the United States mails. An order has been made excluding complainants from the use of the mails. The court interfered and held that such order was a violation of the property rights of the persons affected and granted relief.

2. Is the law constitutional?

It is claimed that the law is unconstitutional in that it violates Section 20 of Article IV of the constitution, which provides that no law shall embrace more than one object, which shall be expressed in its title.

It is established by our decisions that if what is introduced by way of an amendment to an act might have been incorporated in the act under the original title there is no violation of this section. *People v. Gadway*, 61 Mich. 285; *Attorney General v. Bolger*, 128 Mich. 355.

The question is therefore whether under the original title a provision fixing a standard of pure food and providing means to prevent deception in the sale of such food is within the title of an act to provide for the appointment of a Dairy and Food Commissioner and to define his powers and duties and fix his compensation. We think the title is within our previous decisions sufficient. It is obvious to one reading this title that there must have been imposed upon the commissioner certain powers and duties to make his department of any value to the State, and furthermore that these powers and duties must have relation to something. It is equally obvious that the relation of these powers and duties must be to the subject which is brought within the department that is created, viz., the Dairy and Food Department.

The title is very similar to that which established the Insurance Bureau. In *Connecticut Mutual Life Ins Co. v. State Treasurer*, 31 Mich. 6, it was held that a title which read "An act to establish an Insurance Bureau" was sufficiently broad to cover any pertinent regulations respecting the bureau's course of action towards those engaged in insurance, and any appropriate provisions for prescribing the duty due from the insurance companies to the State in the matter of taxation, without violating the constitutional provisions.

3. The question of more difficulty is the question of fact as to whether the preparations of complainant are concentrated commercial feeding stuffs as defined by the act cited above.

It is true the testimony shows that upon each of the labels which accompanied Pratt's Food for Horses and Cattle was the statement: "Pratts Food is a regulator, to be used according to directions, and is not sold as a feeding stuff, nor is it to be fed in place of grain or any other feed." But in addition to claiming medicinal properties for the food it was also stated how it should be used to fatten and improve stock. It was stated that "It fattens both cattle and hogs quickly, makes them grow large and healthier and makes their meat tender, more juicy and better eating." It was also stated that for horses it "produces bone, muscle and better staying powers; improves the wind."

When this statute was enacted commercial feeding stuffs were on the market and this fact must have been known to the Legislature.

In employing the broad language "All condimental stock foods, patented and proprietary stock foods, claimed to possess nutritive properties and all other materials intended to cover all preparations for which the claim of nutritive qualities was made." Complainant's preparations come within this language.

Similar representations were made in the labels of other preparations.

We are of the opinion that the Circuit Judge was right in holding that all these preparations were within the statute.

The decree is affirmed with costs.

Pierre Viaus Maple Company, Complainant, v. Arthur C. Bird, Dairy and Food Commissioner, and Joseph Schnitzer, Inspector of the Dairy and Food Department, Defendants. Before Grant, C. J., Blair, Montgomery, Ostrander and Hooker, J.J.

Complainant is the manufacturer of a brand of syrup known as the "Pierre Viaus Pure Canadian Maple Syrup and Cane Syrup." The trademark being the letters P. V. The bill alleges that the Canadian Pure Maple Syrup exceeds the amount of Cane Syrup. It sets forth efforts made with the Pure Food Commission to agree upon a label which shall comply with the law, the failure of these negotiations, the representations made to the trade by the defendants that the sale of this syrup is illegal, and the injurious effect upon the complainant's business, and prays that the defendants be restrained from in any manner interfering with its business. To this bill of complaint the defendants demurred upon the

ground that the syrups mentioned in said bill of complaint are not labeled as required by the laws of this State. The demurrer was overruled and the defendants have appealed.

Grant, C. J.: It is urged by the Attorney General that the sale of this mixture is in violation of section 5007 of the Compiled Laws, reading as follows:

"That it shall be unlawful for any person, dealer, firm, manufacturer or corporation to manufacture and sell, or offer for sale, any maple sugar, maple molasses or maple syrup that is in anywise adulterated with common sugar, beet sugar, glucose or any other foreign substance without distinctly marking, stamping, or labeling the articles or the package containing the same with the true and appropriate name of such article and the percentage in which common sugar, beet sugar, glucose or any other foreign substance enters into the composition of the same."

It is urged by the complainant that the case falls within Act 193, Public Acts of 1895, known as the Pure Food Law, and entitled "An act to prohibit and prevent adulteration, fraud and deception in the manufacture and sale of articles of food and drink."

Sec. 1 (C. L., 5010) of the act prohibits the sale or having in possession with intent to sell any article of food which is adulterated within the meaning of the act.

Sec. 2 (C. L., 5011) defines the term "food" to include all articles used for food or drink.

Sec. 3 (C. L., 5012) states what articles shall be deemed to be adulterated. The section closes with the following proviso:

"Provided further, That the provisions of this act shall not apply to mixtures or compounds recognized as ordinary articles or ingredients of articles of food, if each and every package sold or offered for sale bear the name and address of the manufacturer and be distinctly labeled under its own distinctive name, and in a manner so as to plainly and correctly show that it is a mixture or compound, and is not in violation with definitions fourth and seventh of this section."

The court held that this syrup came within the Pure Food Law (Act 193), and not under the act prohibiting the adulteration of maple sugar, etc., and that it came within the proviso above quoted.

We think the court was in error. The act in regard to the manufacture and sale of maple sugar is complete in itself, and covers the entire subject. It was intended to prohibit the manufacture and sale of maple sugar under any name without labeling the product with the true and appropriate name, stating thereon the percentage of any other ingredient used in its manufacture. The title of the act is "An act to prohibit the adulteration of maple sugar, maple molasses and maple syrup." The word "adulteration" in this statute means the mixture of any foreign substance, wholesome or unwholesome, with maple sugar. The evident purpose of the statute is to compel all persons manufacturing or selling maple sugar to inform the public not only of what the product is composed, but the proportions of each article used in the manufacture.

Decree reversed, and bill dismissed with costs of both courts.

Armour & Co., Complainants,

v.

Arthur C. Bird, State Dairy and Food Commissioner.
et al., Defendants.

Before: Blair, C. J., Grant, Montgomery, Ostrander, Hooker, J. J.:

Complainant is a corporation organized under the laws of the State of New Jersey, with headquarters in Chicago, Illinois. It is and has been, for many years, engaged in the manufacture and sale of fresh and cured meats and sausage and other meat products. Its sale of these products, including sausage, extended over the entire State of Michigan.

In the year 1906, the defendant, the Dairy and Food Commissioner, caused chemical examination to be made of the various brands of sausage sold within the State, including that of the complainant, and found that many of them contained cereals and a percentage of water greater than that found in meat alone. On January 16, 1907, he issued the following circular:

"Gentlemen:—A growing tendency on the part of manufacturers of sausage, bolognas and similar meat products, to use various preparations and substances foreign to the legitimate ingredients necessary to the manufacture of these articles of food, the said preparations being commonly known and designated as fillers, binders, etc., has prompted this Department to make a thorough investigation into such sausages. This has been done for the purpose of ascertaining the true reasons for the widespread practice of using the preparations mentioned.

The results obtained from the investigation as carried on in the Department laboratory lead to but one conclusion, viz., that the addition of so-called binders and fillers to meat products is primarily for the purpose of substituting in part an inferior or cheaper substance for legitimate ingredients, thereby lessening the cost of manufacture.

The first and second subdivisions of section 5012 of the Compiled Laws provide that an article shall be deemed to be adulterated within the meaning of the act,— first (if any substance or substances have been mixed with it so as to lower or depreciate or injuriously affect its quality, strength or purity; second, if any inferior or cheaper substance or substances have been substituted wholly or in part for it. Basing its ruling on the subdivisions of section 5012 above cited, this Department holds that the addition of the so-called binders and fillers mentioned to meat products is contrary to law. From and after this day, manufacturers and dealers will be held to a strict account for each and every violation. Provided, however, that dealers within the State are given until January 25, 1907, to dispose of stocks on hand.

Yours very truly,

A. C. BIRD,
State Dairy and Food Commissioner.

This circular was sent to all the meat dealers of the State, and a copy sent to the complainant at Chicago. Those employed under the direction of the defendant Food Commissioner also verbally informed the retail dealers of the State that they would be prosecuted if they did not com-

ply with the above order. The trade of the complainant in Michigan was very large, and the effect of this circular, and the threats of prosecution verbally made, naturally tended to decrease very largely the complainant's sales in this State, and to cause it considerable loss. Therefore, on November 18, 1907, complainant filed its bill of complaint in this cause, setting forth the above circular and threats on the part of the defendants, the injury to its business, that defendants were acting illegally in their conduct, and praying that they be restrained from "declaring in any manner, orally or in writing, to the customers and patrons of your orator, or to the people of the State of Michigan, that the sausages and other meat products of your orator containing cereal, manufactured and sold, and offered for sale in the State of Michigan, are sold and offered for sale in violation of any statute of the State of Michigan." The bill alleges that the sausage manufactured and sold by complainant bears labels showing their respective ingredients, in accordance with the standard fixed by the laws of the United States and the regulations of the Department of Agriculture thereunder, a sample of said labels being set forth in the bill and reading as follows:

ARMOUR'S "DEVONSHIRE" Farm Style SAUSAGE MEAT. Made from the Meat of Hams and Selected Young Pork. Prepared with choicest spices and cereals. Armour & Company.

U. S. Inspected and passed under act of Congress of June 30, 1906. Establishment 2 A.

* An answer was duly filed denying that the sausage manufactured and sold by the complainant in this State containing cereals and water is a wholesome product, or that it is manufactured in accordance with the Act of Congress of June 30, 1906, and the regulations of the United States Department of Agriculture; or that it is a compound or mixture within the meaning of the proviso of Sec. 3, Act 193, Pub. Acts of 1895, as amended. The answer admits that the sausage of complainant is shipped into this State in packages, or boxes, labeled with the trade name of the sausage, and the words "with cereal" but alleges that the consumer, or purchaser of the retail dealer, is in no way advised, when he purchases, that the sausage contains cereals, or cereal and added water, unless such purchaser purchased the entire package shipped to the dealer, and that even then he was not informed that the product contains added water.

Both the bill and answer contain other allegations which we deem it unnecessary to state. Issue was joined, proofs taken in open court and by deposition, and after a full hearing decree was entered dismissing the bill. The statute, C. L., Sec 5012, under which defendants claim to justify their action, is as follows:

"An article shall be deemed to be adulterated within the meaning of this act: First, if any substance or substances have been mixed with it, so as to lower or depreciate or injuriously affect its quality, strength or purity; second, if any inferior or cheaper substance or substances have been substituted wholly or in part for it; third, if any valuable or necessary constituent or ingredient has been wholly or in part abstracted from it; fourth, if it is an imitation of, or is sold under the name of another article; fifth, if it consists wholly or in part of a diseased, decom-

posed, putrid, infected, tainted or rotten animal or vegetable substance or article, whether manufactured or not, or in the case of milk, if it is the product of a diseased animal; sixth, if it is colored, coated, polished, or powdered whereby damage or inferiority is concealed or if by any means it is made to appear better or of greater value than it really is; seventh, if it contains any added substance or ingredient which is poisonous or injurious to the health: Provided, that nothing in this act shall prevent the coloring of pure butter: And provided further, that the provisions of this act shall not apply to mixtures or compounds recognized as ordinary articles or ingredients of articles of food, if each and every package sold or offered for sale bear the name and address of the manufacturer and be distinctly labeled under its own distinctive name, and in a manner so as to plainly and correctly show that it is a mixture or compound and is not in violation with definitions fourth and seventh of this section."

Grant, J.: The following facts are admitted or established beyond controversy:

(a) The sausage manufactured by the complainant is a wholesome article of food. It contains nothing deleterious to health.

(b) It is a mixture or compound within the meaning of the proviso in the statute above quoted, being composed of meat, cereal, salt and spices.

(c) It is made in accordance with the Act of Congress and directions prescribed thereunder by the Commissioner of Agriculture, and under the inspection of the United States inspectors.

(d) Sausage is made of different kinds of meat, viz., pork, beef and veal. Whether manufactured for interstate commerce or domestic use within the State, it is sometimes made with cereal, and sometimes without it. Cereal is not a necessary ingredient to its manufacture, although it has been used by most manufacturers for many years.

(e) Water is an essential ingredient in the manufacture of sausage, whether made with or without cereal. This is shown by the evidence of the defendants. One of their witnesses, with an experience of thirty-five years, testified:

"In the manufacture of pork sausage we use pork, and if the pork is a little too fat we put in some veal or beef. It is necessary to have a little water added, a quart and a half to 100 pounds. It is pretty hard to make them without. We use a little more water than would be found in the meat when freshly killed."

Another, who had been engaged in the manufacture of sausage since 1864, testified:

"I put a little water in pork sausage. I use from five to ten pounds of water to 100 pounds of meat. Enough to make it pliable that is all. I use from eight to ten pounds of water in making beef sausage. I presume you could make sausage without water, but you could not stuff it very well."

Another who learned to make sausage in Germany, testified:

"I have always used water and still use water in the manufacture of sausage. Water is necessary. They use water in making sausage in Germany. So far as I know everyone used it."

The United States regulations require that the water used shall be pure.

(f) It is not in violation of definitions four and seven of the act. It does not violate definition seven because it contains no substance or ingredient poisonous or injurious to health. It does not violate definition four because meat is the basis and principle ingredient of the article. As manufactured by complainant, it contains from two to ten per cent of cereal. It is and has been, for more than forty years, recognized in the trade as sausage. When sold as sausage with cereal added it deceives no one, is not an imitation and manufacturers are entitled to manufacture and label it as sausage with cereal. It is not contended that manufacturers have not the right to use the name "sausage" when sold with a proper label.

The Federal statute is practically identical with that of Michigan, and contains a proviso reading:

"That an article of food which does not contain any added poisonous or deleterious ingredients shall not be deemed to be adulterated or misbranded in the following cases:

First. In the case of mixtures or compounds which may be now or from time to time hereafter known as articles of food under their own distinctive names, and not an imitation of or offered for sale under the distinctive name of another article, if the name be accompanied on the same label or brand with a statement of the place where said article has been manufactured or produced."

Acting under this law, the Department of Agriculture, on September 12, 1906, adopted the following regulation:

"Sausages and Chopped Meats. The word sausage without a prefix indicating the species of animal is considered to be a mixture of minced or chopped meats with or without spices. If any species of animal is indicated as pork sausage, the sausage must be wholly made from the meat of that species. If any flour or other cereal is used the label must so state. If any other meat product is added, the label must so state."

To this regulation the department added "manufacturers are warned that the above rulings do not exempt them from the enforcement of state laws."

The learned circuit judge, in his opinion, found that sausage manufactured as is that of the complainant, "is probably as healthy as pure sausage such as was known to the fathers."

Briefly stated then, the case is this: complainant, a resident of another state, is manufacturing and shipping into this State a wholesome article of interstate commerce in strict accord with the law and regulations of the federal government. State law cannot interfere with this interstate traffic. The law here involved does not attempt to interfere with it, or to deny to the complainant the right to sell and ship its goods to retail dealers in this State. There are, therefore, but two questions material to the determination of this controversy, viz.:

(1) May the state through its legislature enact laws regulating the domestic sales of this product to consumers within the state?

(2) Does the statute above cited include the product made by the complainant?

It is not contended that the state is not clothed with the power to regulate the domestic sale of such products after their shipment into the state. Intoxicating liquor, which is a subject of interstate commerce,

may be shipped into this state in original packages, but it cannot be sold within the state in violation of the state laws regulating or prohibiting its sale. No contention is made that the state statute in question is not constitutional and reasonable. Pure food laws have been enacted probably in all the states and have been universally held valid when reasonable. The sole question therefore left to determine is whether the statute includes sales to consumers in small quantities taken from the original packages. If the domestic dealer were to sell an original package labeled as above to the consumer, such sale would be valid, because the label complies with the law and notifies the purchaser that the article is not a sausage of meat alone, but a sausage composed of meat and cereal. It is not contended that manufacturers of sausage have not the right to label their product "sausage" with the statement added that it is mixed with other products, specifying them.

If we understand the position of council for complainant correctly, it is that in construing this statute courts should be governed, not by the popular and common understanding of the meaning of the word "sausage," but by its trade and commercial meaning; that is, its meaning as understood between the manufacturers and their customers to whom they sell for retail to consumers. They say:

"It is unmistakable that the legislature understood it was enacting a law with reference to an article of food which was then a subject of trade and commerce among the people. There were at times scores of different kinds of "sausage" upon the market, that is, sausage made in different ways, a difference in the ingredients used in the various kinds, and a variance in the proportions used; and different manufacturers and dealers made and dealt in different kinds, and each knew that all this variety of meat food products were included in the term "sausage," and the legislature is charged with knowledge of that fact, and must be presumed to have used the term 'food' accordingly."

In support of this they cite several cases from the federal courts construing the tariff or duty acts, in which it has been held that the laws of Congress imposing duties upon imported goods must be construed with reference to the trade or commercial meaning of the articles mentioned in the law. Among the cases cited are the

Two Hundred Chests of Tea, 9 Wheaton 430;
Cadwalader v. Zeh, 151 U. S. 171;
McCoy v. Hedden, 38 Fed. Rep. 89.

In the Two Hundred Chests of Teas it was held that "bohea tea" was used in the duty act in its known commercial sense, viz., "that article which in the known usage of the trade acquired that distinctive appellation."

In Cadwalader v. Zeh, the question was whether, under the duty act, earthenware consisting of small cups, saucers, mugs, etc., having on them pictures of animals and other subjects, and letters of the alphabet, should have been assessed as toys with 35 per cent ad valorem, or as china, etc., with 60 per cent ad valorem. The case was held to depend upon the commercial meaning of the word "toys."

In McCoy v. Hedden, the question was whether currycombs were dutiable under a provision imposing a duty upon combs of all kinds. If they

were not known to the trade among merchants as combs they were held not dutiable as such. These and other similar cases arose between the United States and importers of foreign goods, and do not apply to cases arising under the pure food laws of state governments. Courts will take cognizance of the well-known fact that farmers, laboring men and consumers are not generally familiar with the customs of trade and commerce in importing goods, or of understandings of the trade between manufacturers and merchants who buy those products for retail trade. Such construction would emasculate the pure food laws and deprive the people of the protection which the legislature wisely intended to give them.

Sausage is defined by all the lexicographers as an article of food composed of meat, salt and spices. (See Worcester's and Century dictionaries.) The people generally so understand it. The writer of this opinion would be compelled to admit that until very recently he had no knowledge that cereal was used in the manufacture of sausage. It is too manifest for further argument that the legislature in enacting the law was not providing for the regulation of sales between manufacturers and merchants, but between retail dealers and consumers. They enacted the law solely for the protection of consumers, the people who buy and eat the products. The consumer who prefers sausage made of meat alone is entitled to be informed that he is buying such an article. The consumer who prefers sausage mixed with cereal is entitled to know that he is purchasing that article. The contention of the complainant, if sustained, would deprive the consumer of this right which the statute plainly gives him. We cannot follow *State v. Nesland*, 120 N. W. Rep. 107, (Iowa), wherein it is held that sales in small quantities from original packages are not within the statute. In that case a pound of lard was sold from a fifty-pound package properly labeled with its constituent parts, but it was held that the retail dealer was not required to label the small packages sold. That opinion is based upon the well-known rule that penal statutes must be strictly construed. The statute of Michigan expressly provides that these mixtures must be labeled showing the different kinds of ingredients contained in them. Sec. 2 is as follows:

"The term food, as used herein, shall include all articles used for food or drink, or intended to be eaten or drank by man, whether simple, mixed or compound."

This is a general statute covering all food products not otherwise specifically provided for. We consider its provisions perfectly plain, and not subject to any misunderstanding or uncertainty. To hold otherwise would substantially exclude all the benefits and protection to the people of the state which the statute was clearly designed to grant. We, therefore, hold that retail packages of small amounts taken from the original package of the manufacturer, and sold to the consumer, must be properly labeled as the law directs.

The court below dismissed the complainant's bill, thereby granting it no relief whatever. In view of the position taken by the Food Commissioner in his circulars and answer herein filed; and in view of the importance to the complainant, and to the people of the state to know under what conditions a wholesome article of interstate commerce may be sold in this state, we think the learned circuit judge should have entered a

decree defining the rights and determining under what conditions complainant, as well as other manufacturers, may have their valuable and wholesome products sold by the retail dealers, and to restrain the defendants from interfering with such legitimate sales.

The Food Commissioner, as above stated, denied in his answer that the sausage made by the complainant was a wholesome product, or that it was a mixture or compound within the meaning of the act, and insisted that it was an adulteration. His attitude is further shown by his reply to complainant's letter of January 17, 1907, asking "if there would be any objection to using cereal if such fact is stated on label same as provided by national law." He denied this permission, which was, not only a compliance with the federal law, but a compliance with the state law.

The use of cereal in the manufacture of sausage has been very general. The State Food and Dairy Commissioner of Iowa, who at the time of the hearing below had held office for five years, testified to its general use in that state, stating that "the ingredients used by the Iowa manufacturers in making sausage are chopped meats, salt, spices, flour and sufficient water." In July, 1907, he issued a bulletin stating:

"The Commissioner has no authority to establish standards for the information of the public, it is here stated that this Department will not interfere with the sale of sausage because of the presence of wholesome flour, provided that an analysis does not show more than five per cent of such flour."

It appears to be established by the evidence that sausage made with cereal is sold cheaper than that made of meats alone. If so, the people desiring to buy and eat the cheaper products should have the privilege of doing so, and such product should not by any decision of the court be prohibited from sale. The opinion of the circuit judge does not prohibit its sale when properly labeled. He held that the trouble was not with the use of cereal, but in permitting the product to be sold at the retail counter without informing the customer that cereal is a part of it. Counsel for respondents conceded in the oral argument in this court that it was a wholesome food and was entitled to sale in this state, when sold under a proper label informing customers of what it is composed.

It is conceded that the use of cereal requires more water than does sausage made with meat alone. Anyone of intelligence would, upon reflection, know this to be the fact. The only doubt I entertain in the case is whether the label should, in addition to the words "with cereal," contain also "and water." In view of the fact that water is generally used in the manufacture of all sausage, and that no law or regulation of the food department has fixed the amount of water that may be used, it would seem like judicial legislation for the court to require the label to show that water is used in the manufacture.

The statute does not require the label to state the proportion of the ingredients composing the mixture, but only the names of the ingredients. The statute makes special provision for butter, cheese, lard, canned fruits and vegetables, coffee and molasses. There are other statutes governing the manufacture and sale of specific products requiring the proportions of the ingredients to be placed upon the labels, such as Act 123, Public Acts 1903; *People v. Harris*, 135 Mich. 136.

It is within the power of the legislature to pass an act specifically provided for the manufacture and sale of sausage, and that the labels should state the proportions of the ingredients used. We hold a label "sausage with cereal" upon packages sold to consumers is a compliance with the statute in labeling the mixture, and a decree should be entered so stating. A decree will be entered in this court in accordance with the above opinion. No costs will be allowed.

PEOPLE v. JACOB.

(Opinion filed January 4, 1915.)

State Officers—Dairy and Food Commissioner—Inspection of Prisons by Statutes—
Act 12, P. A. 1905.

In the prosecution of the Superintendent of the Detroit House of Correction for his refusal to permit inspectors of the State Dairy and Food Department to inspect the prison;

HELD, (by an equally divided Court); Though the State Dairy and Food Commissioner is limited in his investigations to inspections of the store, etc., of the manufacturer or vender of food or drink products which are made, stored, sold or offered for sale, as the Detroit House of Correction is paid by the different counties of the state for the board of prisoners sent to that institution under contract, it comes within the class that sells food, etc., and is amenable to the provisions of Act No. 12, P. A. 1905.

The inspection of state penal institutions is within the purview of the statute relating to the general Pure Food Law.

While the law provided for the inspection of penal institutions by the Board of Corrections and Charities (Sec. 2252, C. L. 1897) and in the case of the Detroit House of Correction, by the Board of Inspectors appointed by the Common Council of the City, the act creating the Detroit House of Correction (Sec. 2156, C. L. 1897) permits inspections by any state authority, of which the State Dairy and Food Department is one.

In an opinion by Justice Stone (Ostrander, Kuhn, Moore, JJ., concurring) the opposite view is taken.

Exceptions to recorder's court of Detroit. William F. Connolly, Judge.

Appeal of Bernhardt Jacob from a conviction for refusing to permit inspectors from the State Dairy and Food Department to inspect the Detroit House of Correction. Affirmed.

Grant Fellows, Attorney General; James W. Helme, Dairy and Food Commissioner, both of Lansing, for the People.

William E. Tarsney, assistant corporation counsel, (Richard I. Lawson, corporation counsel, of counsel), both of Detroit, for defendant.

Before the Full Bench.

Stone, J.: This case is before us upon exceptions before sentence. The appellant is the superintendent of the Detroit House of Correction, a state penal institution, located in the city of Detroit. On October 21, 1913, Burr B. Lincoln, a state dairy and food inspector, sought to make an investigation of the food conditions in the said institution, and for that purpose he called upon the appellant and requested that he be permitted to go

through the building and see the foods that were there served. This request was refused by the appellant, who informed the inspector that he had no right there; that it was an institution over which the dairy and food inspectors had no jurisdiction, and that he could not go through the institution. Because of this refusal complaint was made charging appellant with a violation of Act No. 167 of the Public Acts of 1899, being "An act in relation to the powers and duties of the Dairy and Food Commissioner of the State of Michigan." This act provides that any person who shall obstruct the said commissioner, or his deputy, or any of his duly appointed inspectors, by refusing to allow his entrance to any place where he is authorized to enter in the discharge of his official duty, shall be guilty of a misdemeanor, and prescribes the punishment.

A hearing was had upon this complaint in the recorder's court, and the respondent and appellant was by the verdict of a jury, found guilty as charged.

The questions raised by the assignments of error, may be combined into one question, namely: Has the Dairy and Food Commission, or its inspectors power, under the law, to investigate the food conditions of the Detroit House of Correction?

On the part of the people it is contended that ample power is vested in the inspectors of the Dairy and Food Commission to make such investigation, and that in view of the refusal of the superintendent to permit the making of the investigation, he had violated the act above referred to. Attention is called by the People to Chapter 76, Compiled Laws of 1897, under the provisions of which said institution was erected, and is controlled, and especially to Section 2156, which provides that:

"The management and direction of the said house of correction, subject to periodical inspection by the state authorities, in their discretion, shall be under the control and authority of a Board of Inspectors, to be appointed for that purpose by the Common Council of the City of Detroit upon the nomination of the mayor."

It is urged by the prosecution that under this section alone the state has a right to inspect the institution and that the right of inspection by any state authority, is here given; that authority to inspect his institution is made still plainer by the Pure Food Laws of the State; that Sec. 6 of the Act creating the office of Dairy and Food Commissioner and defining his powers and duties (C. L., 4978, as amended by Act 12, Pub. Acts of 1905), states that such commissioner or his deputy, or any other person appointed by him for that purpose,

"shall have power, in the performance of their duties to enter into any creamery, factory, store, salesroom, drug store, or laboratory, or place where they have reason to believe food or drink are made, stored, sold or offered for sale and open any cask, tub, jar, bottle or package containing or supposed to contain, any article of food or drink, and examine or cause to be examined the contents thereof, and take therefrom samples for analysis."

Attention is also called to Sec. 4 of the Amendatory Act of 1905, which provides that the inspectors shall have the same right to access to the places to be inspected as the said commissioner or his deputy.

A reading of the entire of Sec. 6, above referred to, shows that the Dairy and Food Commissioner, his deputy or inspectors, shall regulate

filthy and insanitary conditions which may exist in the operation of any bakery or other places where "any food or drink products are manufactured, stored, deposited or sold for any purpose whatever."

It was admitted upon the trial of the case that a bakery was maintained in the institution to bake bread for the prisoners, at the time complained of.

Sec. 5029, Compiled Laws of 1897 makes it the duty of the Dairy and Food Commissioner of the state to investigate all complaints for violations of the act known as the General Pure Food Law, and especially it is made the duty of the food inspectors in the cities to examine all complaints made to them of violations of the act.

On the part of the defendant and appellant it is contended that the act creating the State Dairy and Food Commission, and the amendments thereto, together with Act No. 167 of the Public Acts of 1899, did not confer the right upon the State Dairy and Food Commission or its inspectors to inspect the food conditions of a public or state institution such as the Detroit House of Correction.

It is urged by defendant's counsel that, by the terms of the act creating it, the institution is used for the confinement, punishment and reformation of criminals, or persons sentenced thereto, under the laws authorizing the confinement of convicted persons in the House of Correction; that the management and direction of the said House of Correction subject to periodical inspection by the state authorities is, by statute, placed under the control and authority of a board of inspectors appointed by the common council of the city of Detroit upon the nomination of the mayor; that this board of inspectors is authorized and empowered by the common council to make rules for the regulation and discipline of the House of Correction, and to appoint a superintendent; that under the statute the superintendent has entire control and management of all its concerns subject to the authority established by law, and the rules and regulations adopted for its government.

It is contended by the appellant that the Detroit House of Correction is not any one of the places named in which the State Dairy and Food Commissioner or his inspectors are authorized to enter; that the institution is not a creamery, factory, store, etc., or a place where the inspectors would have reason to believe food and drink were made, stored and offered for sale, within the meaning of the statute.

An examination of the statutes relevant to this subject has led us to the conclusion that the public penal institutions of this state, including the Detroit House of Correction, are not within the purview or terms of the statute relating to the General Pure Food Law. The legislature has provided a visitorial board whose duty it is to inspect these institutions and make due report thereon. As early as 1871 provision was made for a commission to be appointed, subsequently called "The Board of Corrections and Charities," of which the governor is ex officio a member. Sec. 2252, Compiled Laws reads as follows:

"The said commissioners, by one of their number, or by their secretary, shall, at least once in each year, visit and examine into the condition of each and every of the city and county poorhouses, county jails, or other places for the detention of criminals or witnesses and the said board or a majority thereof, with their secretary, shall, at least once in each year, visit and examine the reform school, state prison, Detroit house of correction, and state and county asylums for the insane,

and the deaf, dumb and blind, and for the purpose of ascertaining the actual condition of the institutions by them or either of them visited, the method of instruction, government, or management therein pursued, the official conduct of the superintendents or other officers and employes in charge thereof, or connected therewith, the condition of the buildings, grounds, or other property thereunto belonging, and the facts as to all other matters in any manner pertaining to the usefulness and proper management of the institutions, poorhouses, and jails above named. They, or either of them, and their secretary, shall have free access thereto at any and all times, and shall have authority to administer oaths and examine any person or persons in any way connected with or having knowledge of the condition, management, and discipline of such institutions, jails or poorhouses, as to any matters or inquiries not contrary to the purposes or provisions of this act."

Attention is called to the remaining portions of this statute:

An examination of the statutes relating to the government of the state prisons and reformatories, the powers and duties of boards of control and of the wardens of the institutions, will show that these officers have plenary power and control over all matters relating to the government of the institutions, including food, medicine, clothing, bedding, etc.—everything which pertains to the health and well-being of the inmates. With these ample provisions, and the added power of visitation lodged in the Board of Corrections and Charities, it does not seem to us that it was the intention of the legislature that this ground was also to be covered by the Dairy and Food Commission. In our opinion, that commission has no jurisdiction over these institutions, but its rights to inspect is limited to the store, etc., of the manufacturer or vendor of food or drink products, which are made, stored, sold or offered for sale to the general public.

It will be noted that the language relied upon by the People in the Amendatory Act of 1905, defining the several places, where inspection may be made by the Dairy and Food Commissioner, is specific in designating certain places, to-wit: Creamery, factory, store, salesroom, drug store or laboratory, followed by the general words, "or places where they have reason to believe food or drink are made, stored, sold or offered for sale." This general language must be construed as meaning places of the same kind, of the same general character or sort as those named.

Although it appears in this record that the Detroit House of Correction bakes its own bread for its inmates, and for that purpose may be said to operate a bakery, yet it does not seem to us that such a place can be covered by any of the specific words mentioned. Certainly it is not a creamery, factory, store, salesroom, drug store or laboratory, as those words are used in the statute. The general rule should here apply that when after the enumeration a statute employs some general term to embrace other cases, the other cases must be understood to be cases of the same general character, sort, or kind, with those named. In other words, "they are known from their associates."

Brooks vs. Cook, 44 Mich., 617-619, and cases cited;

Roberts vs. City of Detroit, 102 Mich., 67;

Drake vs. Industrial Works, 174 Mich., 662.

We are, therefore, forced to the conclusion that the Detroit House of Correction—a state penal institution, with its superintendent, and its board of inspectors, subject to the visitation of the Board of Corrections and Charities—is not embraced within, and was not intended to be em-

braced within, the provisions of the Pure Food Law, and that the inspector had no authority to enter the premises. Whenever the legislature desires to clothe the Pure Food Commission with such authority it will doubtless so express itself. We think it has not done so in the past legislation. Reaching this result, that conflict in jurisdiction of the different boards, which would lead to an unseemly contest, is avoided. The conviction must therefore be reversed, and the defendant discharged.

Ostrander, Kuhn and Moore, J.J., concurred with Stone, J

Brooke, C. J.: Mr. Brother Stone in the earlier part of his opinion states very clearly, the contentions made on behalf of the people in this case. It is claimed that the Dairy and Food Commissioner, or his deputy, is authorized to make the inspection, which was denied, upon two grounds:

1st. Under the act creating the Detroit House of Correction, Sec. 2, (C. L., 1897, Sec. 2156), which provides:

"The management and direction of the said house of correction, subject to periodical inspection by the state authorities, in their discretion, shall be under the control and authority of a Board of Inspectors, to be appointed for that purpose by the common council of the city of Detroit."

It is claimed on behalf of the people that this language used in the law of its creation is broad enough to warrant the inspection of said institution by ANY state authority. In my opinion the contention is fully warranted by the language used. It would be difficult to select words of more general import than those used in the statute:

"subject to periodical inspection by the state authorities in their discretion."

No particular State authority is pointed out, nor is the right of inspection limited to any such particular authority. There is no doubt that included among the State authorities entitled to the right of inspection is the State Board of Charities. It, however, by no means follows that the exercise of the right by that board exhausts the authority of the state under the language of the section above quoted. It seems to me clear that the labor department might very properly inspect the institution to determine whether proper safety devices were employed as provided by the general laws of the State touching that subject. The State Board of Health, too, should have authority to inspect and determine whether the laws relating to sanitary conditions were being obeyed therein. And closely akin to the necessity for such inspection by the State Dairy and Food Department in order that it may be determined that the food served is wholesome in quality.

It should be borne in mind that the institution is one of considerable magnitude within the walls of which are confined several hundreds of prisoners, male and female. The female prisoners therein are boarded at the expense of the State and many counties of the State having individual contracts with the institution, by the terms of which a per diem amount is paid for the board and medical attendance of each prisoner.

Several industries are carried on in the institution requiring the use of machinery. In my opinion, it is an institution peculiarly requiring the supervision of every department of the State whose activities are directed to securing to the inhabitants thereof sanitary conditions, whole-

some food, and freedom from danger to life and limb through the use of improperly guarded machinery.

If there could be any doubt of the right of the people to insist that the Dairy and Food Commissioner, or his deputies, is authorized to make the inspection which was denied in the instant case, it is disposed of by a reading of Section 6 (C. L., 1897, Sec. 4978), of the law creating that department. That section authorizes the entry of the commissioner, or his deputies, to certain named places and,

"or places where he had reason to believe food or drink is made, stored, sold or offered for sale."

In my opinion it is idle to say that the House of Correction is not such a place. Whatever may be said of other penal institutions of the State, this particular institution stores food in large quantities, which it sells. The record shows that during the year it received the very considerable sum of \$32,659.00 for the board of prisoners confined therein.

It is, in a sense, in the business of selling food. The fact that its customers happen to be the State itself and several political divisions of the State, makes no difference in the principle involved. It would, I think, scarcely be contended that a hotel, keeping, storing, and offering food for sale to its guests was not subject to the inspection provided for in the act creating the Dairy and Food Department. In any event I think such a construction of the legislation is too narrow and I quite agree with the opinion as expressed by the learned judge who, in refusing to charge as requested by the respondent, said:

"I refuse to give this request to charge, gentlemen of the jury, upon the ground that it is my opinion that the spirit of the Dairy and Food Law is to procure and secure proper food and drink for all of the inhabitants of the state. That is its general purpose and scope. And that the terms of the act creating the Dairy and Food Commission, the acts amendatory thereto, are broad enough to include the Detroit House of Correction and all other penal institutions."

The judgment of the court below should be affirmed.

McAlvay, Bird and Steere, J. J., concurred with Brooke, C. J.

PEOPLE v. DEHN.

(Opinion filed January 3, 1916.)

Before the full Bench.

Moore, J.: The respondent is charged with violating the provisions of Act 151 of the Public Acts of the year 1913, in that he did "offer for sale and did sell to James E. Helber, a certain quantity of sausage, to-wit: one-quarter pound, which said sausage was then and there adulterated within the meaning of Act 151 of the Public Acts of the State of Michigan for the year 1913, said sausage then and there containing added cereal or vegetable flour exceeding two per centum, to-wit: 6.22 per centum contrary to the provisions of the act aforesaid."

After the testimony on the part of the People, and part of the testimony on the part of respondent was in, it was admitted by respondent that he sold sausage as charged in the information, containing more than six per cent of cereal, and claimed the right to do so for reasons that will appear later.

The trial judge directed the jury to bring in a verdict of guilty and after returning to the jury room they did so. The case is here on exceptions before sentence.

It is claimed below that respondent should have been discharged,

First, because said Act No. 151 of the Public Acts of 1913, upon which said information is based, is unconstitutional and void for the following reasons: (a) Because the title to said act is not broad enough to include the offense so complained of. (b) Because the provisions of said act prohibiting the sale of sausage containing vegetable flour or cereal in excess of two per cent is contrary to the provisions of Section 16 of Article 2 of the Constitution of this State, providing that no person shall be deprived of life, liberty or property without due process of law. (c) Because the aforesaid provisions of said law are contrary to the fourteenth amendment of the constitution of the United States. (d) Because said act prescribes a cruel and unusual punishment and excessive fine, contrary to the provisions of Section 15 of Article 2 of the Constitution of the State. (e) Because the provisions of said act are uncertain and indefinite, in that it is impossible to determine from said act whether the per cent of cereal is to be by weight or volume.

a. The title of Act 151, Public Acts of 1913, reads:

"An Act providing for the protection of the public health and the prevention of fraud and deception, by prohibiting the sale, the offering for sale or exposing for sale or the having in possession with intent to sell, of adulterated or deleterious sausage; defining sausage; and prescribing the penalty for the violation hereof."

The provisions of the Act material here are as follows:

"Section 1. It shall be unlawful for any person or persons, by himself, herself or themselves, or by his, her or their agents, servants or employes, to sell, offer for sale, expose for sale or have in possession with intent to sell, sausage that is adulterated within the meaning of this act. Sausage when used in this act shall be deemed to include Bologna, Weine-wurst and Frankforts."

"Section 2. For the purpose of this act, sausage or sausage meat shall be held to be a comminuted meat from neat cattle or swine, or a mixture of such meats, either fresh, salted, pickled or smoked, with added salt and spices, and with or without the addition of edible animal fat, blood and sugar, or subsequent smoking. It shall contain no larger amount of water than the meats from which it is prepared contained when in their fresh condition."

"Section 3. For the purpose of this act, sausage shall be deemed to be adulterated.

First, if it contains added water in excess of the quantity required to bring the amount up to that which the meats from which it is prepared contain immediately after slaughter.

Second, if it contains any cereal or vegetable flour."

"Nothing in this act shall be construed as prohibiting the sale of sausage which when properly labeled shall conform to the following standard: Sausage shall not contain cereal in excess of two per cent. When cereal is added its presence shall be noted on the label or on the product."

"Section 4. Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars, nor more than two hundred dollars, or to undergo an imprisonment of not less than thirty days, nor more than sixty days, or both or either, in the discretion of the court."

The sufficiency of the title to acts to justify the provisions of the acts under them has been before this court repeatedly; see *People vs. Worden Vinegar Co.*, 118 Mich. 604; *People vs. Rutter*, 131 Id. 250. In *People vs. Gansley*, an opinion handed down this term, there is a full discussion of the subject with a collection of the authorities. It is not necessary to repeat what is there said. We think the title sufficient.

b. and c. may be considered together. The testimony is to the effect that the cereal used was a healthful article of food, and it is argued by counsel that the legislature is not authorized to prevent the sale of such food. We quote from the brief:

"This case, therefore, presents the question as to whether the legislature of the State can prohibit the sale of a wholesome, nutritious and non-injurious article of food. We have no complaint of those provisions of the statute which require sausage to be labeled when cereal is used; that to our mind is a wise and proper provision and if followed will be ample protection to the public."

"It is our contention that if the consumer prefers sausage made with cereal or if he can afford to buy it when so made and not when manufactured of meat alone, or if the condition of his health will not permit him to eat sausage when made of pure meat, the legislature has no right and no power under the Constitution of this State to deprive that person of his right to purchase this wholesome article of food, nor to interfere with the business of the manufacturer in supplying this demand."

Counsel for appellant cite in support of their contention, *Armour vs. Bird*, 159 Mich. 1; *People vs. Biesacker*, 169 N. Y. 53; *Schallenger vs. Penn.*, 171 U. S. 1; *State vs. Hanson*, 118 Minn. 85; *Collins vs. New Hampshire*, 171 U. S. 30; *St. Louis Independent Packing Co. vs. Houston*, 215 Federal Reporter, 553, and other authorities found in the brief. An examination of these cases will show they are not controlling of the case before us.

The record disclosed that the sausage was sold in this instance for fifteen cents a pound; that the cereal that goes into its manufacture costs three and one-half cents or four cents a pound, and that a pound of the cereal usually absorbs from a pound and a tenth to two and one-fifth pounds of water.

It is evident that if respondent may legally use six per cent of cereal he may use ten or twenty per cent or any proportion which in his judgment can be mixed with the other ingredients without destroying the demand for his product.

It is not claimed by the People that the cereal added to the meat made a product deleterious to health, but that it does lower the value of the sausage, and is a deception and fraud upon the purchaser, and that to avoid such a result the State has in the exercise of the police power the right to fix food standards, and that in the passage of the Pure Food Law it is well within its rights.

Courts recognize the difficulty of defining the police power of the State. It is, however, a power which will adapt itself to the constantly changing conditions of life. In 6 Ruling Case Law, page 186, it is said:

"Judge Cooley says that the police power of a state 'embraces its whole system of internal regulation, by which the State seeks not only to preserve the public order and to prevent offense against the State, but also to establish for the intercourse of citizens with citizens those rules of good manners and good neighborhood which are calculated to prevent a conflict of rights and to insure to each the uninterrupted enjoyment of his own so far as is reasonably consistent with a like enjoyment of rights by others,' and the courts have quoted this definition with approval many times. It has also been stated that the police power is but another name for that authority which resides in every sovereignty to pass all laws for the internal regulation and government of the State, and that it comprises that portion of the sovereignty of the State which was not surrendered by the terms of the federal constitution to the central government. Finally, it has been said that by means of this power the legislature exercises a supervision over matters involving the common weal, and enforces the observance, by each individual member of society, of the duties which he owes to others and to the community at large."

In the same authority at page 208 it said:

"The police power of the State is not limited to regulations necessary for the preservation of good order or the public health and safety. The prevention of fraud and deceit, cheating and imposition, is equally within the power, and a State may prescribe all such regulations as in its judgment will secure or tend to secure the people against the consequences of fraud, such as the prohibition of the sale of deceitful imitations of articles of food in general use, the requirement that goods sold should bear labels showing the ingredients, or the regulation of weights and measures, prohibiting the use of coloring matter in articles of food, e. g. substitutes for butter, whereby purchasers might be deceived into believing that they were purchasing a genuine article, the regulation of the size

of loaves of bread, and the prevention of deception as to the character or quality of goods offered for sale."

* * * * *

"In general it may be said that a State may institute any reasonable preventive remedy required by the frequency of fraud, or the difficulty experienced by individuals in circumventing it, especially when other means have not proved to be efficacious."

In *Armour and Company vs. Dairy and Food Commissioner*, 159 Mich. at page 10, it is said:

"Sausage is defined by all the lexicographers as an article of food composed of meat, salt and spices. See *Worcester's* and *Century Dictionaries*. The people generally so understand it. The writer of this opinion would be compelled to admit that until very recently he had no knowledge that cereal was used in the manufacture of sausage."

In *St. Louis Independent Packing Company vs. Houston*, 215 Federal Reporter, at page 556, it is said: "The word 'sausage' is defined by all lexicographers as an article of food composed of meat, salt and spices," and we think it might be added that until recently the average purchaser of food would expect to get a product composed only of those articles if he inquired for sausage.

In this connection the language of Justice Hooker in *People vs. Rutter*, 131 Mich. 250, is helpful:

"Butter is a well known commodity. From time immemorial it has had but one origin, viz., from the churning of milk or cream. Whatever may be said of the possibility of making a product from other compounds than milk or cream that shall closely resemble or be chemically identical with butter, the world has but one understanding of what is meant by the word 'butter', and we must assume that such is the sense in which our legislature used the term. 1 Comp. Laws, Sec. 50, subd. 1. A fair inference from this statute is that the legislature undertook to prevent deception by preventing the sale of any yellow oleomargarine, and it undertook to accomplish this by the most effective means, viz., by prohibiting the coloring of oleomargarine yellow, thereby avoiding the embarrassment which would otherwise arise from the necessity of proving in each case that deceit was used in selling it as and for butter."

In *State vs. Ice Cream Co.*, 147 N. W. R., at page 201, it is said:

We are not to say and do not, of course, determine, that these defendants, or the association appearing in argument, or any particular person, is or has been guilty of any fraud or deception. The question is whether, without a standard, dishonest or unscrupulous manufacturers may do so. It is not practicable by any ordinary inspection for the purchaser to distinguish cheaper, low-grade of ice cream from the better quality. Because of this it is apparent from the matters which we have detailed that an opportu-

nity is afforded for deception by selling an inferior quality of ice cream at the price of a better or more expensive grade. This was the case in the sale of oleomargarine. *State vs. Packing Co.*, 124 Iowa 232, 100 N. W. R. 59, 2 Ann. Cas. 448."

"The purpose of the act in question was to prevent just such deception and fraud as would be possible without a standard, and it seems to us it cannot be seriously claimed that the statute will not accomplish the end sought."

In *State vs. Campbell*, 64 N. H. 402, occurs the following:

"But the defendant takes the broader ground that the legislature cannot, under the Constitution, prohibit the sale of milk drawn from healthy cows, which in its natural state falls below the standard fixed by the act, unless such milk, or the article made from it, is in fact unwholesome or dangerous to public health."

"The difficulty of guarding against the adulteration of milk may have influenced the legislature in fixing a standard of richness. Practically it makes no difference whether milk is diluted after it is drawn from the cow, or whether it is made watery by giving her such food as will produce milk of inferior quality, or whether the dilution, regarded by the legislature as excessive, arises from the nature of a particular animal or a particular breed of cattle. The sale of such milk to unsuspecting consumers for a price in excess of its value is a fraud which the statute was designed to suppress. It is a valid exercise by the legislature of the police power for the prevention of fraud and the protection of the public health, and as such is constitutional."

In *State vs. Creamery Co.*, 83 Minn. 284, it is said:

"The defendant claims that this statute, in so far as it prohibits the sale of cream solely because it contains less than twenty per centum of fat, is unconstitutional, because it is unreasonable and not a proper exercise of the police power, is based upon an arbitrary classification, and is special legislation, and is an unlawful restraint of trade, and illegally restricts the citizen's right to contract and pursue a lawful calling, and deprives him of his liberty and property without due process of law."

"The section of the statute in question is a part of the general statutes of the state, which were enacted to prevent deception in the sale of dairy products, and its obvious purpose is to fix a standard for cream, and forbid the sale of any cream, as such, which is below the prescribed standard, whereby unsuspecting purchasers may be defrauded. It must be and is, construed so as to effectuate such purpose. We accordingly hold that the statute in question forbids, and only forbids, the sale of cream, as such, which is below the prescribed standard. So construed, the statute is a proper exercise of the police power of the state, and is valid. Its constitutionality rests upon the same principles as does the

validity of statutes prohibiting the sale of milk unless it contains a prescribed percentage of fat and solids, and other similar statutes. The constitutionality of such statutes has been uniformly sustained. *Butler v. Chambers*, 36 Minn. 69, 3 N. W. 308, 1 Am. St. Rep. 644, and notes. *Com. vs. Evans*, 132 Mass. 11; *State v. Smyth*, 14 R. I. 100; *State v. Campbell*, 64 N. H. 402, 13 Atl. 585; *City 1. Cook*, 38 Mo. App. 660. Counsel for the defendant while practically conceding the validity of statutes fixing a standard for milk and forbidding the sale of milk below such standard, seek to distinguish such statutes from statutes of the character of the one we are considering, for the reason that:

"Cream is a natural product, and when not diseased or impure, is not only harmless, but beneficial as food and for many other purposes, whether it contains ten per cent of fat or thirty-five per cent of fat. It is commonly known that there is no practice of adulterating cream as there is in the case of milk, nor of simulating it as in the case of butter, and that pure cream is wholesome, though it contains less than twenty per centum of fat."

"We cannot take judicial knowledge of the supposed facts thus asserted; for if this is a matter in which we are required to take judicial notice of the facts, we know that it is entirely feasible to mix pure cream with a limited amount of milk, and produce a mixture which may be sold to the inexperienced as pure cream. Undoubtedly there is less necessity for a statute to prevent deception in the sale of cream than there is of one to prevent fraud in the sale of milk, because the latter may be classed as a necessity, and the former as a luxury, and its sale is not as general as that of milk; but the distinction is one of degree, not of principle. In either case the legislature is the sole judge of the necessity and propriety of preventing deception in the sale of the article, by appropriate legislation. *Powell v. Pennsylvania*, 127 U. S. 678, 8 Sp. Ct. 992, 1257. And the legislature, by this statute, having, in the exercise of the police power, fixed a standard for all cream to be sold as such, the act is valid."

In the case of the *People vs. Worden*, 118 Mich. R. 604, this court sustained a law fixing the standard ingredients of vinegar as a proper exercise of the police power, saying in effect that if it is contended the standard fixed is unreasonable that the question might very properly be addressed to the Legislature. See *City of St. Louis vs. Rutter*, 190 Missouri, 514; *People v. Gierard*, 145 N. Y. R. 105; *Commonwealth v. Evans*, 132 Mass. 11.

We think the legislature was within the police power.

We have considered the other assignments of error and deem them not well taken.

The conviction is affirmed and the case is remanded for further proceedings.

PEOPLE v. FEDERIGHI.

(Opinion filed June 8, 1916.)

Criminal Law—Complaint—Sufficiency of—Knowledge.

Knowledge of a violation of Act 207, P. A. 1913, having been made an essential ingredient of an offense under this statute, a complaint which fails to allege knowledge on the part of the respondent, is fatally defective.

Error in circuit court, Berrien county. George Bridgman, judge.

Appeal of Cesare Federighi from a conviction of a violation of Act 207, P. A. 1913. Reversed and respondent discharged.

Grant Fellows, Attorney General; Chester P. O'Hara, Prosecuting Attorney of St. Joseph, for the people.

G. M. Valentine and John J. Sterling, both of Grand Haven, for the defendant.

Before the full bench.

Kuhn, J.: The respondent is charged with a violation of Section 5 of Act 207, Session Laws of 1913. This act is entitled:

"An act to prevent fraud and deception in the sale of Michigan grown fresh fruits and vegetables, and to provide penalties for violations of this act."

The act contains six sections. The first five sections regulate the packing and sale of fruit, and define what acts shall constitute a violation of the law. The complaint upon which this prosecution is based alleges facts which are within Section 5, which is in terms as follows:

"No person shall sell or offer, expose or have in his possession for sale, any fresh fruits or vegetables packed in any package in which the faced or shown surface gives a false representation of the contents of such package, and it shall be considered a false representation when more than twenty per cent of such fresh fruits or vegetables are substantially smaller in size than or inferior in grade to, or different in variety from, the faced or shown surface of such package, natural deterioration and decay in transit or storage excepted."

Section 6, which is the penal section of the statute, reads as follows:

"Every person who, by himself, his agent or employee, knowingly violates any of the provisions of this act shall for each such offense, be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding ten dollars, or by imprisonment in the county jail for a period not exceeding thirty days, or by both such fine and imprisonment in the discretion of the court."

The respondent was arrested, tried and convicted in the justice court, and on appeal to the circuit court was again tried and convicted. At the trial in the circuit court his counsel moved that the court direct the jury to render a verdict of not guilty, on the ground that neither the complaint nor the warrant charged or alleged that the respondent had knowingly violated the statute under which the prosecution is brought. Re-

spondent also presented certain requests in writing for instructions to the jury which involved the same questions. These were refused by the court. After his conviction respondent moved an arrest of the verdict, assigning four reasons or causes therefor, all of which challenged the sufficiency of the complaint and warrant. This motion was denied. The sole question, therefore, which is properly before us on exceptions before sentence is whether or not the complaint and warrant sufficiently charged an offense under the said provisions of Act 207, Session Laws of 1913.

It is unquestionably the settled rule in this State that where scienter is made an ingredient of the offense, it is necessary to charge and prove it. There is some difficulty in determining on a reading of this act, exactly what the intention of the legislature was in the use of the word "knowingly" in section 6. Section 5 does not make knowledge a substantive ingredient of the offense. But in our opinion, all the sections of the statute should be taken together, to determine what the legislative intent was, and there can be no doubt that it was the intention of the legislature to make the scienter a part of the offense created by this statute.

We are of the opinion that it cannot be said that simply selling the fruit which does not come up to the standard required by the statute necessarily implies that the seller knew of the inferiority. This is not, therefore, one of that class of cases in which it has been held that knowledge need not be averred where it cannot possibly be said that the respondent could have been ignorant of the offense. See *People v. Lennox*, 106 Mich. 625. We see no escape from the conclusion that the complaint is fatally defective in that it does not charge one of the essential ingredients of the offense created by the statute, that is, that the respondent knowingly committed the act made illegal thereby. *People v. Fitzgerald*, 92 Mich. 328.

The complaint not stating the offense charged by the statute, it follows that the judgment must be reversed and the respondent discharged.

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